Calendar No. 559

84TH CONGRESS, 1st Session } SENATE { REPT. 554, Part 2

AMENDING THE ACT OF JULY 31, 1947 (61 STAT. 681), AND THE MINING LAWS TO PROVIDE FOR MULTIPLE USE OF THE SURFACE OF THE SAME TRACTS OF THE PUBLIC LANDS

JUNE 22, 1955.—Ordered to be printed

Mr. MALONE, from the Committee on Interior and Insular Affairs, submitted the following

MINORITY VIEWS

[To accompany S. 1713]

The purpose of the amendment to the 1872 mining law set forth in S. 1713 is, according to its sponsors, to prevent:

1. Clearly invalid mining locations, unsupported by any semblance of discovery, and
2. Mining locations having mineral disclosures which might satisfy the basic requirement of discovery, but which were in fact made for a purpose other than mining.
3. To make it easier for the Federal bureaus to bring up for review claims and claimants which in their judgment includes land more valuable for another purpose.

That is the statement of the principal witness, Mr. Raymond B. Holbrook, an attorney employed by the United States Smelting Refining & Mining Co. for 17 years, and who is the chairman of the public lands committee of the American Mining Congress. Mr. Holbrook was the nearest approach to a mining man who appeared for the bill.

LEGITIMATE OBJECTIONS COVERED BY MINING LAWS AND DECISIONS

The first purpose is amply covered by the present mining law as interpreted over the years by the Supreme Court of the United States. Both the public and the prospector are fully protected, with recourse to the courts.

The second and third are clearly an imposition on the rights of the prospector since they open the door for the first time in more than 80 years for a Government bureau employee to allege that the land is more valuable for another purpose than mining and bring the case before his own bureau where the only appeal is to a higher employee or official in that same bureau.

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CONGRESS COULD DESTROY INCENTIVE

Since it is even conceivable that evidence might show that the value for other purposes might temporarily be greater than the immediate value of a small mining property, it is inconceivable that the Congress would allow a bureau official, in no way connected with mining, such as the Forest Service or the Bureau of Land Management, and having no first hand knowledge of the industry, to be the complainant, judge, and jury.

The history of mining is clear that you must have prospects before you have small mines and you must have small mines before you can have big mines—and that it often requires many years before the larger bodies of ore can be developed, even after they are known to exist.

FIRST LOCATOR SELDOM PROFITS

History also shows that the property may change hands many times through the first locators "going broke" and either relinquishing the claim to another locator or selling out for what they can get because of their inability to continue working the property, or because of lack of "assessment" work simply losing to another locator. Rarely does the first locator profit from the discovery.

There used to be a byword in the ranching business—that it was the third or fourth homesteader of a homestead that made it stick. The mining business is even tougher.

GOVERNMENT BUREAUS

The principal witness, Mr. Holbrook, further testified that—

> We have had the pleasure of working with the Forest Service and the Bureau of Land Management and understand their position is that these problems could not be entirely met by effective administration of existing laws for the following reasons:
>
> 1. The available remedies are slow, expensive and not conclusive, and
> 2. There is great difficulty in establishing the invalidity of a location, supported by discovery, on the basis that the location was made for a purpose other than mining.

The weight of evidence of the witnesses called—all but one holding some Government position—was that the Government bureaus should be given the clear power to determine the validity of a mining location within their own department.

This power in the hands of the bureau officials would destroy the prospector and reverse the Supreme Court decisions for more than 80 years.

They would also have the authority to determine whether or not the land is more valuable for another purpose than mining.

OBJECTIVE—LEASING SYSTEM

It is clear that the Government bureaus are still moving toward a leasing system which they have continually advocated for two decades.

DESTROY LAW INTENT AND COURT DECISION

The prospector can be moved under the 1872 law if he has not complied with it, which is the intent and the extent of the original law.

The Supreme Court decisions, for more than 80 years, have clarified and established the law.

It has been established that if the prospector has complied with the law in setting up his monuments—in filing with the county recorder—and has done the required "assessment" work that a Government department cannot move him or interfere with his work by alleging that "a reasonably prudent man would not expend his money and his effort in the hopes of developing a mine" (Holbrook, p. 91, May 18, 1955).

The amended act opens the door for continual interference by Government officials.

It limits the locators' inherent rights prior to patent—since when patent issues there is no change in the fee-simple ownership—and the timber, forage, and all other assets go to the patentee. It does not make sense to allow the Government to deplete his claim in accordance with their judgment before patent.

There may have been abuses under the law—but when investigated it will generally be found that the Government has not met its responsibilities under existing law and that the law itself or court decisions provide the remedy.

PROSPECTOR ON THE DEFENSIVE

As it now stands the Government must initiate any proceedings to prove the location invalid—which is exactly what was intended and must be maintained—under the proposed law the prospector will be on the defensive and will be continually harried and tormented by inexperienced and irresponsible bureau officials.

HEARINGS IN MINING AREAS

It is abundantly clear that hearings should be held in the mining areas of this Nation before any action is taken, since no real miners were heard and the mining associations of the several States were clearly intimidated through threats of more severe legislation unless they accepted the proposed legislation as written.

LAST STAND OF SMALL CAPITAL

The present simple location system for acquiring prospecting ground for mining is the last stand for the man of small capital.

It requires no money—just a sack of beans and some coffee and many of them have been known to dispense with the coffee until they can show enough to acquire a "grubstake" from someone who is willing to gamble with them.

They can build a rock mound or stick up a stake and lodge the location notice on it—then set up the corners within 30 days and start the location work.

The ground is then his own as long as he does the required annual assessment work and files proof of it in the county recorder's office of his county.

It is not necessary to have a surveyor or an accurate placing of the corners of his property. If he inadvertently takes in too much territory then, when there is a conflict, which there will most certainly be

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when and if he makes a strike, he can only hold the 1,500 by 600 feet of the regulation mining claim.

MINING IS A GAMBLE—NO PRUDENT MAN

Mining is a gamble—it is also a disease, which once acquired means that they will "hit" a mine or die broke. Where a very limited few develop a mine, thousands die broke, but it is the incentive of "striking it rich" that keeps them in the hills where the ore is to be found.

Probably 90 percent of the digging done by prospectors is on ground where no prudent man would dig—and this Nation can thank God that they have continued to dig on such ground, because most of the prospects developing into mines are discovered by these miners confirmed in the faith.

The testimony by Government witness, and witnesses inexperienced in the actual prospecting operation, was to the effect that many mining claims are located on ground where no prudent man would dig—prospectors are not prudent men.

ONLY ONE MINING MAN HEARD

There was only one mining man at the hearing who testified and his testimony was emphatically against the bill unless modified—and he recommended that hearings be held in the mining areas before it was reported to the Senate floor. The witness was Mr. Robert S. Palmer, Secretary-Treasurer of the Colorado Mining Association, which is one of the largest and most important of such associations in this Nation.

NO PRECEDENT

Several witnesses have testified that a precedent for this proposed legislation was set in the passage of Public Law No. 250, 83d Congress, amending the 1872 Mining Act.

There could have been no precedent set in the previous legislation for this type of bill since it only dealt with coordinating the use of the same mining claims for different minerals—petroleum, uranium, and other minerals. The amended act provided that you could mine uranium on an oil claim but the petroleum producer had the priority and you could not interfere with him, and that you could develop and produce oil on a uranium claim but that you could not interfere with the operation of the prior locator.

PRECEDENT WOULD BE SET

It positively had nothing to do with timber or forage or sagebrush. It had absolutely nothing in common with S. 1713, which does set a precedent for leasing ground for materials.

HEARINGS IN MINING AREAS

Certainly hearings should be held in the mining areas. Let the miners have a chance to help work it out.

CAN BE WORKED OUT

I believe that if this is done a satisfactory piece of legislation can be worked out that will benefit all concerned, and that will not curb the prospector, and that will not discourage independent investors and "grubstakers" interested in locating, developing and producing minerals.

SHOULD BE CONFINED TO FOREST AREAS

If the legislation is to be voted on today as set up without hearings in the mining areas of the country, then its application should certainly be confined to the forest reserve areas where most of the testimony before the committee applied.

GEORGE W. MALONE.

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Calendar No. 560

84TH CONGRESS, 1st Session | SENATE | REPORT No. 555

MODIFICATION OF PROJECT FOR FERRELLS BRIDGE RESERVOIR, TEX.

JUNE 15 (legislative day, JUNE 14), 1955.—Ordered to be printed

Mr. CHAVEZ, from the Committee on Public Works, submitted the following

REPORT

[To accompany S. J. Res. 77]

The Committee on Public Works, to whom was referred the joint resolution (S. J. Res. 77) to modify the authorized project for Ferrells Bridge Reservoir, Tex., and to provide for the local cash contribution for the water supply feature of that reservoir, having considered the same, report favorably thereon without amendment and recommend that the joint resolution do pass.

PURPOSE

The purpose of the bill is to modify the general plan for flood control on Red River below Denison Dam, Tex. and Okla., to include an increase of approximately 250,000 acre-feet of storage for water supply purposes in Ferrells Bridge Reservoir, and to provide that local interests contribute the appropriate increased costs, either on a percentage basis as construction of the project progresses, or in a lump sum as soon as reasonably certain date of completion can be made, but no later than at such time as may be determined by the Chief of Engineers that will assure orderly construction to proceed to completion without interruption or delay.

GENERAL STATEMENT

The Ferrells Bridge Dam and Reservoir was authorized by the Flood Control Act approved July 24, 1946, as an essential component of the general plan for flood control on Red River below Denison Dam, Tex. and Okla.

The dam site is located on Cypress Creek, 8 miles west of Jefferson, Tex. The dam will be a rolled earth-fill structure 10,000 feet long and 77 feet high, with an uncontrolled chute-type spillway, and an

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outlet structure with two controlled discharge conduits located in the abutment. The reservoir will control the runoff from 850 square miles of drainage area and extend 28 miles upstream.

Pertinent data on the reservoir is as follows:

Allocation	Acres	Acre-feet
Conservation pool	1,100	3,800
Water supply pool	18,700	251,100
Flood-control pool	38,200	587,200
Total	58,000	842,100

The estimated costs of a dual-purpose flood control and water supply project is as follows:

Construction	$18,300,000
Lands and damages	2,600,000
Total	20,900,000

Ferrells Bridge Reservoir will control floods originating in Cypress Creek Basin, and will reduce major flood stages on the main stem of Red River below the confluence of Cypress Creek. Local benefits will include protection of the town of Jefferson, highways, railroads, and 24,000 acres of land. In the 20-year period, 1927–46, 45 lives have been lost and property damage from floods has amounted to $114 million on Red River below Denison. The main-stem levees, authorized for Red River in conjunction with the reservoirs, are substantially completed to an interim grade. These levees were designed to provide protection with the upstream reservoirs in operation. As long as the reservoirs remain uncompleted, there is serious danger of the levees failing as a result of confinement of flood flows.

The Texarkana Reservoir is the only 1 of the 6 authorized reservoirs under construction. Additional reservoirs are necessary to secure the contemplated benefits. Ferrells Bridge Reservoir is a key project for furnishing water supply to the Shreveport-Daingerfield-Jefferson area in which large industrial expansion is now occurring. The average annual benefits are estimated to total $1,239,000, and the benefit-to-cost ratio is 1.40.

DISCUSSION

The Ferrells Bridge Reservoir was authorized for flood control alone and was originally designed to provide a very small conservation pool. Since authorization of the project, the Legislature of the State of Texas has created the Northeast Texas Municipal Water District, which is authorized to negotiate with the Federal Government for the purchase of water-supply storage. Based upon the evidence of need of local interests for water supply from the reservoir to permit industrial expansion, additional storage of 251,100 acre-feet for water supply has been included in the Ferrells Bridge Reservoir.

The need for water supply in this project was not foreseeable at the time of authorization. This particular section of northeast Texas in recent years has not only suffered from droughts, which has lowered the ground water table and reduced water supply in the local wells, but domestic requirements have increased to such an extent that present ground water supplies are inadequate. Water from the reservoir will

be utilized by the Lone Star Steel Co. plant located on its north shore, and currently undergoing a multimillion dollar expansion. As this area possesses great natural resources, including oil, gas, iron, coal, sulfur, and salt, it is to be expected that industrial expansion will continue at an accelerated pace for some time to come, thus increasing the water supply requirements still further.

Full monetary authorization for Ferrells Bridge Reservoir was provided in the authorizing act. Local interests, as represented by the Northeast Texas Municipal Water District, have advised the committee that they will contribute their share of the cost of the water supply storage.

In connection with providing the water supply storage urgently requested by local interests, the Flood Control Act of 1936, as amended by Public Law 208, 75th Congress, provides—

> * * * That the Secretary of War is authorized to receive from States and political subdivisions thereof, such funds as may be contributed by them to be expended in connection with funds appropriated by the United States for any authorized flood-control work whenever such work and expenditure may be considered by the Secretary of War, on recommendation of the Chief of Engineers, as advantageous in the public interest, and the plans for any reservoir project may, in the discretion of the Secretary of War, on recommendation of the Chief of Engineers be modified to provide additional storage capacity for domestic water supply or other conservation storage, on condition that the cost of such increased storage capacity is contributed by local agencies and that the local agencies agree to utilize such additional storage capacity in a manner consistent with Federal uses and purposes. * * *

The estimated cost of increasing the storage capacity of the Ferrells Bridge Reservoir to include an allocation of 251,100 acre-feet for water supply is $3,200,000. A contract entailing contribution of this amount by local interests has been negotiated between the Chief of Engineers and the Northeast Texas Municipal Water District. The contract provides that local interests contribute their pro rata share of costs as funds are appropriated by Congress for construction of the project.

In attempting to finance their contribution toward construction of the project on an annual basis by sale of bonds, local interests found that the contract provisions are not feasible. All bonding companies contacted have expressed willingness to purchase the bonds, but have insisted on having a definite completion date established, in order for them to know exactly when revenues from sale of water therefrom would become available. The Corps of Engineers cannot furnish such a date with funds being appropriated by Congress on a year-to-year basis, and the indeterminate amount that will be appropriated each year.

It is therefore necessary to modify the contract of local interests. This can best be done by amending the authorizing act to include approximately 250,000 acre-feet of increased storage in the Ferrells Bridge Reservoir for water-supply purposes, and defer payment therefor by local interests until the Corps of Engineers can give them a definite completion date for the project which will enable them to market their bonds.

There has been appropriated to date by the Congress $497,000 for planning and $750,000 for initiation of construction of the project. The budget for fiscal year 1956 included $2,450,000 for continuing construction on the project. The Appropriations Committee of the House of Representatives deleted funds from the public works appropriation bill for fiscal year 1956 because local interests would be

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unable, for an indefinite period, to provide funds necessary to cover the storage for water-supply purposes in the project, and that construction should not proceed until the State authorities have indicated that the work should go ahead on the flood-control structure only.

The committee recommends enactment of this legislation. It feels that the project is economically feasible, that the cities and industries in one of the Nation's most critical drought areas should not be deprived of water supply urgently needed, and that the flood protection that would be provided downstream is essential for the continued development of the Red River Valley.

The committee further believes that the interests of the Federal Government are fully protected by the language contained in the bill, as the cash contribution by local interests represents no additional cost to the Federal Government in the overall project. Contribution by local interests of their total share of the cost during the last year of construction is contemplated, and appears satisfactory to the committee.

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Calendar No. 561

84TH CONGRESS, 1st Session | SENATE | REPORT No. 556

AUTHORIZING CONSTRUCTION OF A BUILDING FOR A MUSEUM OF HISTORY AND TECHNOLOGY FOR THE SMITHSONIAN INSTITUTION

JUNE 15 (legislative day, JUNE 14), 1955.—Ordered to be printed

Mr. CHAVEZ, from the Committee on Public Works, submitted the following

REPORT

[To accompany H. R. 6410]

The Committee on Public Works, to whom was referred the bill (H. R. 6410) to authorize the construction of a building for a museum of history and technology for the Smithsonian Institution, including the preparation of plans and specifications, and all other work incidental thereto, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

The purpose of the bill is to authorize and direct the Regents of the Smithsonian Institution to plan and to have constructed under the supervision of the Administrator of the General Services Administration, a building and all necessary appurtenances, for use by the Smithsonian Institution as a national museum of history and technology.

The building would be located between 12th and 14th Streets, Constitution Avenue, and Madison Drive NW., in the city of Washington. The exact location of the building on this site would be approved by the National Capital Planning Commission, and the design approved by the Commission of Fine Arts.

The bill authorizes the appropriation of such sums, not to exceed $36 million, as may be necessary to carry out the work of planning and constructing the building and appurtenances.

The Smithsonian Institution has served the Nation well for over a century by the increase and diffusion of knowledge, and as the principal repository of the Government for objects of historic and scientific value, many of which are irreplaceable national treasures. It is world famous as a scientific institution and also for its art galleries and museums. It is one of the major points of interest for visitors in Washington, of whom more than 5 million, including many thousands

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of school children on class pilgrimages from all over the country, annually enter its museum buildings.

Some of these buildings now in use by the Smithsonian Institution have become old and antiquated and are of such design that they cannot be economically reconstructed for satisfactory use as a museum. At the same time, the Institution's valuable collections have grown steadily, so that they can no longer be safely housed or properly exhibited in these buildings.

The proposed building is intended for use as a national museum of history and technology to house the collections now occupying the 75-year-old Arts and Industries Building. This structure is crowded beyond its capacity for the effective display of its contents—more than 800,000 objects representing the development of our history and technology. This building is now in need of a new roof which will cost about $150,000. After the new building is completed and in use, the Arts and Industries Building will be used for displaying the aircraft exhibits now in a temporary building and in storage.

Adequate space in the new museum building will be provided for displaying with dignity and clarity these priceless treasures, so that the Smithsonian Institution, in a manner calculated to inspire patriotism and to arouse respect, can set them before visitors from all the world as the visual story of our Nation's growth and achievement. Space will also be provided for offices, laboratories, and the research and other facilities needed to carry on the normal work of a museum.

The bill establishes a joint congressional committee to advise with the Regents of the Smithsonian Institution in the planning and construction of the building and to report to the Congress from time to time on the progress of the building. The joint committee would be composed of 10 members as follows: 5 Senators appointed by the President of the Senate, 3 of whom shall be the Senate members of the Board of Regents of the Smithsonian Institution; 5 Representatives appointed by the Speaker of the House of Representatives, 3 of whom shall be the Representative members of the Board of Regents of the Smithsonian Institution.

The committee believes that enactment of this legislation will permit careful planning of a new museum building and its eventual construction, which will permit economical and efficient operation of the activities of the Institution, and will be a major cultural contribution to the national interest by maintaining its vast archives of treasures for the public benefit.

The bill has the approval of the Smithsonian Institution, the National Capital Planning Commission, the Bureau of the Budget, the General Services Administration, and the Commission of Fine Arts, as indicated in the following communications on S. 1982, an identical bill:

SMITHSONIAN INSTITUTION,
Washington, D. C., May 20, 1955.

Hon. DENNIS CHAVEZ,
Chairman, Committee on Public Works,
United States Senate, Washington, D. C.

DEAR SENATOR CHAVEZ: Thank you for your letter of May 19, 1955, requesting the views of the Smithsonian Institution on S. 1982, a bill to authorize the construction of a building for a museum of history and technology for the Smithsonian Institution, including the preparation of plans and specifications, and all other work incidental thereto. I take this opportunity to express my deep appreciation to you and to the members of your committee and staff for the under-

standing and support which you have extended to us in furthering this needed legislation.

I can best state the Smithsonian Institution's views on this bill by saying that it is the result of many years of thought and planning culminating in the decision of our Board of Regents to seek the construction of the building as rapidly as possible.

The immediate urgency for the new building is the distressing condition of the 75-year-old Arts and Industries Building. This building which was cheaply constructed even for its day is an awkward shell of a building much too small for the collections which are crowded into it and for the millions who visit it each year. It lacks the essential services of a building to handle museum crowds of such great size and no reconstruction of it would make it large enough or suitable for the purpose for which it was intended.

The proposed new building is required to preserve and exhibit appropriately the collections which uniquely record our national history and great technological progress. The objective is to show these collections in effective exhibits that will inspire sentiments of respect and admiration for the traditions and accomplishments of the United States in the minds of our millions of visitors. Noteworthy exhibits will promote in the minds of our youth an interest in the productive careers of public service, science, and industry. This will be done successfully through the exhibition in an appropriate building of the actual objects associated with our Nation's history and technological progress.

Our studies indicate that a total of 797,500 square feet of space is needed. Included in our space estimates, for example, are some 300,000 square feet of exhibition space which is needed to exhibit properly the collections now on display. Additional exhibition space is also required to portray elements of our progress now represented only in stored collections or by material in the possession of private owners but which will be made available to us when appropriate space is provided. New means of spreading the cultural and patriotic influence of these collections to all parts of the country, as through museum-originated television and radio programs, require additional space. I can sum up these remarks on the extreme need for additional space by stating that a growing country must have a growing national museum to preserve and portray properly the significant relics of its progress.

Many less wealthy but important nations have in recent years built national museums which put our Arts and Industries Building to shame in all respects except the unique character of our items on display.

The site designated in this bill, and approved by the National Capital Planning Commission, is admirably situated in line with the National Gallery of Art and the Natural History Building of the National Museum. For the visiting tourist it is on the direct route from the Capitol to the Washington Monument and the White House. Safe protected crossings for pedestrians exist between these points of interest. For the tourist and the residents of the thickly populated surrounding area, the location satisfies requirements agreed upon by museum planners. Some of these are (1) proximity to the business district, (2) abutment on main-traveled routes between downtown and outlying areas, and (3) adequate parking on the Mall drives.

This project has the approval of the General Services Administration, the National Capital Planning Commission, and the Commission on Fine Arts.

This report has been submitted to the Director of the Bureau of the Budget, and he has no objection to its presentation to the Congress.

Sincerely yours,

J. E. GRAF, *Acting Secretary.*

NATIONAL CAPITAL PLANNING COMMISSION,
Washington 25, D. C., May 27, 1955.

Hon. DENNIS CHAVEZ,
Chairman, Committee on Public Works,
United States Senate, Washington, D. C.

DEAR SENATOR CHAVEZ: Thank you for your request for an expression by this Commission on S. 1982, a bill to authorize the construction of a building for a museum of history and technology for the Smithsonian Institution, including the preparation of plans and specifications, and all other work incidental thereto.

The Commission's comprehensive plan has shown for a number of years the location for a Smithsonian building at the site proposed in the bill.

As we have written Representative Charles L. Buckley, chairman of the Committee on Public Works of the House of Representatives, about H. R. 6117 and

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6119 (bills identical to S. 1982), we favor the early construction of the proposed building and have no objection to the language of the bill as introduced.

The Bureau of the Budget has indicated that it has no objection to the submission of this report.

Sincerely yours,

HARLAND BARTHOLOMEW, *Chairman.*

EXECUTIVE OFFICE OF THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington 25, D. C., June 3, 1955.

Hon. DENNIS CHAVEZ,
Chairman, Committee on Public Works,
United States Senate, Washington, D. C.

MY DEAR MR. CHAIRMAN: This is in reply to your letter of May 19, 1955, requesting the views of the Bureau of the Budget with respect to S. 1982, to authorize the construction of a building for a museum of history and technology for the Smithsonian Institution, including the preparation of plans and specifications, and all other work incidental thereto.

This bill, which is the same as H. R. 6117 and H. R. 6119 introduced by Representatives Auchincloss and Jones, respectively, would authorize and direct the Regents of the Smithsonian Institution to have prepared drawings and specifications for, and to construct, a building for a museum of history and technology. Such sums as may be necessary to carry out the provisions of the act are authorized to be appropriated. Provision is made also for a joint congressional committee on construction of this building.

This Office would have no objection to the enactment of this measure.

Sincerely yours,

PERCIVAL F. BRUNDAGE,
Acting Director.

GENERAL SERVICES ADMINISTRATION,
Washington 25, D. C., June 7, 1955.

Re S. 1982.

Hon. DENNIS CHAVEZ,
Chairman, Committee on Public Works,
United States Senate, Washington 25, D. C.

DEAR SENATOR CHAVEZ: Further reference is made to your letter of May 19, requesting the views of this agency regarding S. 1982, for the construction of a building for a museum of history and technology for the Smithsonian Institution.

The bill directs the Regents of the Smithsonian Institution to have prepared, drawings, and to construct a building, with related equipment, suitable for a museum of history and technology to be located between 12th and 14th Streets NW., and Constitution Avenue and Madison Drive, in the District of Columbia. The exact location must be approved by the National Capital Planning Commission.

Preparation of the drawings and specifications and the design and construction of the building would be under the supervision of the General Services Administration. Appropriations for these purposes, except incidental expenses needed by the Institution, would be transferred to the Administration for performance of the work. Design of the building requires approval by the Commission of Fine Arts.

The bill further establishes a Joint Congressional Committee on Construction of a building for a Museum of History and Technology for the Smithsonian Institution to advise with the Institution during the planning and construction of the building. The bill authorizes to be appropriated to the Institution sums necessary for the work.

This agency is familiar with the space requirements of the Institution for these purposes. The proposed building would provide a welcome solution. This agency is prepared to cooperate fully toward a successful completion of this project. If the site selected for the building includes areas occupied by temporary Government buildings, substantial additional costs may be entailed for demolition, moving personnel and furniture, and housing personnel in rented space.

The Bureau of the Budget has advised that there is no objection to the submission of this report to your committee.

Cordially yours,

EDMUND F. MANSURE, *Administrator.*

THE COMMISSION OF FINE ARTS,
Washington, D. C., June 13, 1955.

Hon. DENNIS CHAVEZ,
Chairman, Committee on Public Works,
Senate Office Building, Washington, D. C.

DEAR SENATOR CHAVEZ: Your letter of June 2, 1955, requested the comments of the Commission of Fine Arts on S. 1982, 84th Congress, a bill to authorize the construction of a building for a museum of history and technology for the Smithsonian Institution, including the preparation of plans and specifications, and all other work incidental thereto.

The Commission considered S. 1982 at a meeting on June 9, 1955, and the members have directed me to forward to your committee their approval of the provisions of the bill. They hope that this proposed legislation will be enacted into law so that plans may go forward without delay for the erection of a museum building for the use of the Smithsonian Institution in the Mall along Constitution Avenue between 12th and 14th Streets NW.

The Bureau of the Budget has advised us by telephone that there is no objection to the submission of this report.

For the Commission of Fine Arts:
Sincerely yours,

DAVID E. FINLEY, *Chairman.*

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Calendar No. 562

84TH CONGRESS, 1st Session | SENATE | REPORT No. 557

TRANSFER OF REAL PROPERTY IN ST. CROIX, V. I.

JUNE 15 (legislative day, JUNE 14), 1955.—Ordered to be printed

Mr. ELLENDER, from the Committee on Agriculture and Forestry, submitted the following

REPORT

[To accompany S. 2097]

The Committee on Agriculture and Forestry, to whom was referred the bill (S. 2097) to authorize the transfer to the Department of Agriculture, for agricultural purposes, of certain real property in St. Croix, V. I., having considered the same, report thereon with a recommendation that it do pass without amendment.

S. 2097 would direct the transfer of certain real property in St. Croix, V. I., now owned by the Virgin Islands Corporation, to the Department of Agriculture. The Department is presently using this property under a cooperative agreement for the research and extension program recently established for the Virgin Islands. It is desirable that the Department have permanent possession of these facilities to complete its program which will benefit the Virgin Island's economy.

A letter from the Department of Agriculture requesting enactment of S. 2097 is attached as a part of this report.

DEPARTMENT OF AGRICULTURE,
Washington, D. C., May 24, 1955.

The PRESIDENT OF THE SENATE,
United States Senate.

DEAR MR. PRESIDENT: Transmitted herewith for the consideration of the Congress is a proposed bill to authorize the transfer to the Department of Agriculture, for agricultural purposes, of certain real property in St. Croix, V. I. The purpose of the proposed bill is to transfer without cost, land and buildings now used by the Virgin Islands agricultural program, under cooperative agreement with the Virgin Islands Corporation, to the Department of Agriculture, in order to develop a more effective research and extension program for the Virgin Islands.

At the time the new Virgin Islands agricultural program was initiated, in accordance with Public Law 228, 82d Congress, the Department secured approximately 60 acres of land and several buildings, under a cooperative agreement with the Virgin Islands Corporation. The cooperative agreement under which the property is now made available to the Department expires August 20, 1957.

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This land is almost in the center of the agricultural area of St. Croix. It is located at the intersection of the main two roads on the island and thus is readily accessible to the farm and rural people the program is designed to serve. The 60 acres consist roughly of 40 acres of good level farmland which is very adaptable to plot work or to demonstration-type experiments. The remaining 20 acres is rough and not generally usable for agricultural purposes, except for certain types of plant introductions which require shaded or wooded areas, but provides a good site for necessary buildings and facilities.

The facilities are adequate for carrying out the current research and extension program for the islands. They consist of an old house, which was converted into laboratory and office space, and a stone garage.

If the Government is to continue a research and extension program in the Virgin Islands, it is essential that the Department acquire a permanent location. For the foregoing reasons, the Department is interested in this particular area.

One of the objectives of the program is to introduce better varieties of crop plants to improve production in the islands. There would be little purpose in establishing groves of mangoes, limes, and similar trees unless the Department would have assurance that it can control the land on which they are planted long enough to secure results from the research undertaken.

Also, there are certain facilities which must be added. To assure adequate water, a well should be dug, a certain amount of additional road is necessary, protective fencing is essential and certain changes in the structures would be desirable if the Department is to develop first-class laboratory facilities. The Department is hesitant to undertake this type of operation unless it has assurance that it can continue to use the property.

It is highly desirable that title to this 60 acres of land and its facilities be acquired by the Department of Agriculture from the Virgin Islands Corporation in order that the Department will be in a position to develop the long-range aspects of the Virgin Islands research and extension program.

A similar letter is being sent to the Speaker of the House of Representatives.

The Bureau of the Budget advises that there is no objection to the transmission of the proposed legislation to the Congress for its consideration.

Sincerely yours,

E. T. BENSON, *Secretary.*

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Calendar No. 563

84TH CONGRESS, 1st Session | SENATE | REPORT No. 558

EXTENSION SERVICE APPROPRIATIONS FOR LOW-INCOME FARMERS' PROGRAM

JUNE 15 (legislative day, JUNE 14), 1955.—Ordered to be printed

Mr. ELLENDER, from the Committee on Agriculture and Forestry, submitted the following

REPORT

[To accompany S. 2098]

The Committee on Agriculture and Forestry, to whom was referred the bill (S. 2098) to amend Public Law 83, 83d Congress, having considered the same, report thereon with a recommendation that it do pass without amendment.

In a message to the Congress on April 27, 1955 (H. Doc. 149), the President forwarded a report from the Department of Agriculture on the problems of low-income farmers. Included in the recommendations of the Department was the proposal that the State extension services in the problem areas be given additional appropriations in order to develop a more coordinated program for farm people with low incomes. S. 2098 would authorize such appropriations as would be necessary to meet these special needs. While the bill does not limit the total amount of appropriations the amounts would be subject to approval each year by the Congress. It is further noted that the Department in its report on low-income farmers recommended that a pilot program be established to determine the proper aids necessary to help these farmers raise their standard of living.

The letter from the Department of Agriculture requesting enactment of S. 2098 is attached hereto as a part of this report.

DEPARTMENTAL VIEWS

DEPARTMENT OF AGRICULTURE,
Washington 25, D. C., May 24, 1955.

The PRESIDENT OF THE SENATE,
United States Senate.

DEAR MR. PRESIDENT: There is transmitted herewith for the consideration of the Congress a draft of proposed legislation. It is proposed that the Smith-Lever Act be amended to make it possible for the Secretary of Agriculture, through the State extension services, to give special aid to farmers in agricultural areas which

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are at a disadvantage with respect to agricultural development because of special circumstances affecting such areas. The Smith-Lever Act, as amended by the act of June 26, 1953 (Public Law 83, 83d Cong.), would be further amended by this proposal to authorize the appropriation of funds for additional cooperative extension work in such areas. This would be done by inserting a new section 8 containing necessary provisions for this work, and renumbering the present section 8 to section 9. The allocation to the States of funds appropriated pursuant to this proposed new section would be determined by the Secretary of Agriculture on the basis of special needs in the areas described in the new section. This new section would not require that funds appropriated pursuant to it be matched by the States.

The report, Development of Agriculture's Human Resources, which the President has transmitted to the Congress for its study, states that educational programs in low income farm areas must differ from those in other areas. Special methods and techniques are needed to effectively reach the objectives outlined in the report. In many cases, community-wide interest and effort is needed. Thus, an extension program is proposed which will develop a coordinated program in cooperation with others concerned for the improvement of the opportunities afforded an important part of the Nation's human resources which now are contributing far less than they can to the economic progress of the Nation. The Extension Service, as a result of many years experience in planning and conducting educational programs in cooperation with local groups and other agencies, is well qualified to assist in the further development of these agricultural areas.

This Department recommends that the proposed legislation be passed.

The Bureau of the Budget advises that enactment of this proposed legislation would be in accord with the program of the President.

Sincerely yours,

E. T. BENSON, *Secretary.*

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX, of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

SMITH-LEVER ACT OF MAY 8, 1914, AS AMENDED

* * * * * * *

SEC. 8. In order to further the purposes of section 2 in agricultural areas which, because of special circumstances affecting such areas, are at a disadvantage insofar as agricultural development is concerned, and to encourage complementary development essential to the welfare of such areas, there is hereby authorized to be appropriated such sums as the Congress from time to time shall determine to be necessary for payments to the States, Alaska, Hawaii, and Puerto Rico on the basis of special needs in such areas as determined by the Secretary of Agriculture. Sums appropriated in pursuance of this section shall be in addition to, and not in substitution for, appropriations otherwise available under this Act.

SEC. [8]*9.* The Secretary of Agriculture is authorized to make such rules and regulations as may be necessary for carrying out the provisions of this Act

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Calendar No. 564

84TH CONGRESS, 1st Session } SENATE { REPORT No. 559

CONVEYANCE TO GEORGIA STATE BOARD OF EDUCATION

JUNE 15 (legislative day, JUNE 14), 1955.—Ordered to be printed

Mr. ELLENDER, from the Committee on Agriculture and Forestry, submitted the following

REPORT

[To accompany H. R. 2973]

The Committee on Agriculture and Forestry, to whom was referred the bill (H. R. 2973) to provide for the conveyance of all right, title, and interest of the United States in a certain tract of land in Macon County, Ga., to the Georgia State Board of Education, having considered the same, report thereon with a recommendation that it do pass without amendment.

This bill provides for transfer to the Georgia State Board of Education of reversionary rights and reserved mineral rights in approximately 226 acres conveyed to the board in 1945 for school and community purposes by the Secretary of Agriculture, acting for the United States and as trustee for the Georgia Rural Rehabilitation Corp. It appears that the property will continue to be used for the purposes of the original conveyance and that this transfer is necessary to enable the board to qualify for additional improvements from State funds. Thirty-nine and eight-tenths percent of the interests to be transferred are held for the Georgia Livestock Development Authority, successor to the Georgia Rural Rehabilitation Corp., and the livestock authority's consent to the transfer is required by the bill.

The report of the House Committee on Agriculture is attached.

[H. Rept. No. 597, 84th Cong., 1st sess.]

The Committee on Agriculture, to whom was referred the bill (H. R. 2973) to provide for the conveyance of all right, title, and interest of the United States in a certain tract of land in Macon County, Ga., to the Georgia State Board of Education, having considered the same, report favorably thereon with amendments and recommend that the bill do pass.

The amendments are as follows:

Page 1, strike out lines 3, 4, and 5 and the first four words of line 6 and insert: "That upon the written consent of the Georgia Livestock Development Authority the United States of America, acting through the Administrator of the Farmers'

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Home Administration, is authorized and directed to convey by quitclaim deed to the Georgia State Board of Education, its successors and assigns, all of the right, title, and interest retained by the United States of America in its quitclaim deed to the Georgia State Board of Education, dated December 18, 1945, and recorded on January 28, 1946, in Deed Record Book WW, page 156, in the Office of the Clerk of the Superior Court of Macon County, Georgia, covering".

The purpose of this bill is to transfer to the Georgia State Board of Education the residual interest of the United States in a tract of approximately 226 acres in Macon County, Ga., which was deeded to the board of education by the United States in 1945. The tract was deeded to the board for educational purposes and is being used for such purpose. The interest retained by the United States at the time of the previous conveyance was a reversionary right in the event that the tract ceased to be used for school purposes and about 60 percent of the mineral interest.

The Department of Agriculture has recommended approval of the bill with the amendment adopted by the committee. The letter from the Department follows.

APRIL 21, 1955.

Hon. HAROLD D. COOLEY,
Chairman, Committee on Agriculture,
House of Representatives.

DEAR CONGRESSMAN COOLEY: This is in reply to your request of February 16, 1955, for a report from this Department on H. R. 2973, a bill to provide for the conveyance of all right, title, and interest of the United States in a certain tract of land in Macon County, Ga., to the Georgia State Board of Education.

We recommend enactment of H. R. 2973 provided it is amended by deleting lines 3, 4, 5, and the first 4 words of line 6 on page 1, and by inserting in lieu thereof the following: "That upon the written consent of the Georgia Livestock Development Authority, the United States of America, acting through the Administrator of the Farmers' Home Administration, is authorized and directed to convey by quitclaim deed to the Georgia State Board of Education, its successors and assigns, all of the right, title, and interest retained by the United States of America in its quitclaim deed to the Georgia State Board of Education, dated December 18, 1945, and recorded on January 28, 1946, in Deed Record Book WW, page 156, in the Office of the Clerk of the Superior Court of Macon County, Georgia, covering * * *."

This amendment is recommended for the reasons that, in our opinion, it would be preferable to expressly (1) limit the authorization to conveyance of the interests retained in the grant deed dated December 18, 1945, rather than to authorize conveyance generally of any interest of the United States in the property, and (2) provide for conveyance by the Government of the interests of the Georgia Livestock Development Authority only upon its written consent.

By the above-mentioned quitclaim deed dated December 18, 1945, the Government conveyed to the Georgia State Board of Education the 226.148-acre tract referred to above, subject to its continued use for educational and related community purposes. The quitclaim deed provided for reversionary rights to be exercised by the Government in the event the purposes for which the property was conveyed were not continued. The Georgia State Board of Education has used and apparently will continue to use the property for the purposes for which it was conveyed, and the reversionary right is, therefore, not exercisable at this time. However, in order to obtain additional improvements from State funds, it is necessary that the Georgia State Board of Education have fee-simple title to the property covered by the quitclaim deed from the Government. The deed also included reservation of mineral interests held by the Government in the property. An undivided 60.2 percent of those reversionary rights and mineral interests is owned by the Federal Government. The remaining 39.8 percent thereof is owned by the Georgia Livestock Development Authority, successor to the Georgia Rural Rehabilitation Corp., the Government acting as trustee therefor under an agreement entered into pursuant to section 2 (f) of Public Law 499, 81st Congress.

It is not clear from the bill whether it is intended to require conveyance by the Government of the 39.8 percent interest to which the Government holds title as trustee, or only the 60.2 percent interest to which the Government holds title in its own right. If it is contemplated that both interests are to be conveyed, we believe that it would be inappropriate to make such an explicit directive with respect to conveyance of the corporation's interest without making the requirement for such conveyance conditional upon obtaining the corporation's consent.

Accordingly, we would construe the bill as presently written to require conveyance of the Government's undivided 60.2 percent interest only. This would appear to leave the corporation's undivided 39.8 percent interest subject to disposition by the corporation if the existing section 2 (f) agreement were first amended to permit return of this interest to the corporation for such disposition. However, in view of the rural-rehabilitation purpose requirement of Public Law 499, 81st Congress, it is questionable whether the Secretary of Agriculture could approve the absolute conveyance by the corporation of its undivided 39.8 percent interest, particularly in the reserved minerals, to the Georgia State Board of Education without specific congressional authorization.

The Government would not receive any consideration for the conveyance of its interests, neither would the conveyance require any expenditure of Federal funds or affect adversely any program of this Department.

The Bureau of the Budget advises that from the standpoint of the program of the President, there is no objection to submitting this report.

Sincerely yours,

TRUE D. MORSE, *Under Secretary.*

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Calendar No. 565

84TH CONGRESS, 1st Session | SENATE | REPORT No. 560

PROHIBITING PREDICTIONS OF APPLE PRICES

JUNE 15 (legislative day, JUNE 14), 1955.—Ordered to be printed

Mr. ELLENDER, from the Committee on Agriculture and Forestry, submitted the following

REPORT

[To accompany H. R. 5188]

The Committee on Agriculture and Forestry, to whom was referred the bill (H. R. 5188) to prohibit publication by the Government of the United States of any prediction with respect to apple prices, having considered the same, report thereon with a recommendation that it do pass without amendment.

This bill would prohibit the Government from predicting apple prices in any official publication, and is more fully explained in the attached report of the House Committee on Agriculture.

[H. Rept. No. 592, 84th Cong., 1st sess.]

The Committee on Agriculture, to whom was referred the bill (H. R. 5188) to prohibit publication by the Government of the United States of any prediction with respect to apple prices, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Page 1, line 6, strike out "apples" and insert "apple".

The purpose of this bill is to apply to apples the same prohibition against estimates of future prices by the Department of Agriculture that has applied to cotton for a number of years. Representatives of applegrowers appeared to be unanimous in their belief that price prediction with respect to the apple crop by the Department of Agriculture performs no useful service either to producers or purchasers of the crop but that it can create confusion and result in harm to applegrowers.

The price estimates referred to are made by the Department of Agriculture in connection with its reports on the prospective apple crop, supplies of apples on hand, and similar data. The growers contend that data as to quantity and quality of the crop and information of this type is a sufficient guide to both producers and buyers and that predictions as to future apple prices, although such predictions may be made in the most general terms, can be affected by so many factors not capable of accurate prediction that they are likely to do more harm than good.

This position of the several apple-producing groups which appeared at the hearing was concurred in by representatives of the American Farm Bureau

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Federation who said that a study of this subject by a special committee of that organization had led to its recommendations on the matter.

The bill adds the word "apple" to a section of the law which for more than 20 years has prohibited the Department from making advance predictions as to the price of cotton. It is to be noted that the statute does not prohibit informal discussions by Department of Agriculture employees or others with respect to the trend of prices. It does prohibit "inclusion in any governmental report, bulletin, or other such publication" of any such prediction and makes it clear that the prohibition of the statute applies only to officers or employees of the United States who authorize, or are responsible for the "inclusion in any such report, bulletin, or other publication of any such prediction."

A representative of the Department of Agriculture appeared in opposition to the bill.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX, of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

AGRICULTURAL MARKETING ACT

* * * * * * *

SEC. 15 (12 U. S. C. 1141j) * * *

(d) The inclusion in any governmental report, bulletin, or other such publication hereafter issued or published of any prediction with respect to cotton *or apple* prices is prohibited. Any officer or employee of the United States who authorizes or is responsible for the inclusion in any such report, bulletin, or other publication of any such prediction, or who knowingly causes the issuance or publication of any such report, bulletin, or other publication containing any such prediction, shall, upon conviction thereof, be fined not less than $500 or more than $5,000 or imprisoned for not more than five years, or both: *Provided*, That this subdivision shall not apply to the Governor of the Farm Credit Administration when engaged in the performance of his duties herein provided.

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Calendar No. 566

84TH CONGRESS, 1st Session | SENATE | REPORT No. 561

LOANS TO DESERT-LAND ENTRYMEN

JUNE 15 (legislative day, JUNE 14), 1955.—Ordered to be printed

Mr. ELLENDER, from the Committee on Agriculture and Forestry, submitted the following

REPORT

[To accompany S. 1472]

The Committee on Agriculture and Forestry, to whom was referred the bill (S. 1472) to enable the Secretary of Agriculture to extend financial assistance to desert-land entrymen to the same extent as such assistance is available to homestead entrymen, having considered the same, report thereon with a recommendation that it do pass with amendments.

S. 1472 would authorize the Secretary of Agriculture to make loans under the Bankhead-Jones Farm Tenant Act and the Water Facilities Act to persons who are acquiring farms by means of desert-land entries. Such persons do not have clear title to these lands and under the present regulations are unable to give adequate security for such loans. The bill would permit the Secretary to obtain a valid mortgage on entered desert land prior to the issuance of a patent to the desert-land entryman thereby extending financial assistance to these farmers to the same extent as such assistance is available to homestead entrymen.

The committee amendments are clarifying only, and would accomplish the following purposes:

(1) As it would be amended by S. 1472 as introduced, the first sentence of the act of October 19, 1949, would apply to a person making a desert-land entry pursuant to the homestead and reclamation laws. Since desert-land entries are made pursuant to the desert-land laws rather than the homestead and reclamation laws, the committee amendment would change the first sentence of that act to refer to the desert-land laws.

(2) Subsection (b) of the bill is not needed and might cause some confusion. The last sentence of the first section of the act of October 19, 1949, is now applicable to "any such loan," referring to loans

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theretofore described in the section, which would include loans to desert entrymen.

The report of the Department of Agriculture favoring enactment of the bill is attached hereto as a part of this report.

DEPARTMENT OF AGRICULTURE,
Washington 25, D. C., May 17, 1955.

Hon. ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry,
United States Senate.

DEAR SENATOR ELLENDER: This is in reply to your request of March 18 for a report on S. 1472, a bill to enable the Secretary of Agriculture to extend financial assistance to desert-land entrymen to the same extent as such assistance is available to homestead entrymen.

We favor the enactment of this bill.

This bill would amend Public Law 361, 81st Congress, to authorize the Secretary of Agriculture to make loans under the Bankhead-Jones Farm Tenant Act, as amended, and the act of August 28, 1937, as amended, known as the Water Facilities Act, to persons who are acquiring farms by means of desert-land entries to the same extent as loans are made to homestead entrymen under these statutes.

Public land is being made available in Western States for entry under the desert-land laws where water supplies may be developed for irrigation. Persons who are making desert-land entries do not secure patents to the land until they have spent certain specified sums for land clearing and installing irrigation works serving the land entered as required by desert-land laws. The failure of an entryman to comply with desert-land requirements is cause for the entry to be canceled by the Secretary of the Interior. Until the land is patented to the entryman, a mortgage on such land has practically no value as security for a loan that can be made under existing authorities.

Many of the entrymen apply to the Farmers' Home Administration for credit to install irrigation facilities and otherwise to develop and improve their farms. The Farmers' Home Administration has been able to make loans for real-estate improvements to these desert-land entrymen only when they could give adequate security for such loans without consideration of the entered land. Under such conditions, very few of these entrymen can qualify for loans

This bill, if enacted, would permit the Secretary of Agriculture to obtain a valid mortgage on entered desert land prior to the issuance of a patent to the desert-land entryman, thereby permitting the Department of Agriculture to extend financial assistance to more of these entrymen.

This bill would not require any additional appropriation at this time. Available direct and insured loan funds would be adequate to permit loans to be made under the amendment, and the administrative expense funds would absorb the cost of making, insuring, and servicing such loans.

The Bureau of the Budget advises that, from the standpoint of the program of the President, there is no objection to the submission of this report.

Sincerely yours,

TRUE D. MORSE, *Acting Secretary.*

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX, of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

AN ACT TO ENABLE THE SECRETARY OF AGRICULTURE TO EXTEND FINANCIAL ASSISTANCE TO HOMESTEAD ENTRYMEN, AND FOR OTHER PURPOSES, APPROVED OCTOBER 19, 1949

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized to make a loan or loans for any purpose authorized by and in accordance with the terms of the Bankhead-Jones Farm Tenant Act, as amended, or the Act of August 28, 1937, as amended, to any person eligible for assistance under said

Acts who has made or makes a homestead *or desert-land* entry on public land or who has contracted for or contracts for the purchase of other land of the United States in a reclamation project pursuant to the applicable provisions of the homestead, *desert-land*, and reclamation laws. Any such loans required by the Secretary of Agriculture or by law to be secured by a real-estate mortgage may be secured by a mortgage contract which shall create a lien against the land in favor of the United States acting through the Secretary of Agriculture and any patent thereafter issued shall recite the existence of such lien. The first installment for the repayment of any such loan or any other loan made under the Bankhead-Jones Farm Tenant Act, as amended, or the Act of August 28, 1937, as amended, to the owner of a newly irrigated farm in a reclamation project, may be deferred for a period of not to exceed two years from the date of the first advance under such loan.

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Calendar No. 567

84TH CONGRESS, 1st Session | SENATE | REPORT No. 562

INSPECTION OF AGRICULTURAL COMMODITIES—PENALTIES

JUNE 15 (legislative day, JUNE 14), 1955.—Ordered to be printed

Mr. ELLENDER, from the Committee on Agriculture and Forestry, submitted the following

REPORT

[To accompany S. 1757]

The Committee on Agriculture and Forestry, to whom was referred the bill (S. 1757) to amend the act known as the Agricultural Marketing Act of 1946, approved August 14, 1946, having considered the same, report thereon with a recommendation that it do pass with amendments.

This bill, which was introduced at the request of the Department of Agriculture, would: (1) remove any question which may have resulted from a change in appropriation language as to the applicability of penalties for forgery of inspection certificates covering agricultural commodities, and (2) expand and tighten provisions for such penalties.

Section 14 (b) of the Perishable Agricultural Commodities Act (7 U. S. C. 499n (b)) now provides penalties for forgery of inspection certificates issued under that act, the Produce Agency Act of March 3, 1927 (7 U. S. C. 491–497), "or any Act making appropriations for the Department of Agriculture." The Department of Agriculture appropriation acts for 1954 and preceding years contained appropriations—

> for investigating and certifying, in one or more jurisdictions, to shippers and other interested parties the class, quality, and condition of any agricultural commodity or food product, whether raw or processed, and any product containing an agricultural commodity or derivative thereof when offered for interstate shipment or when received at such important central markets as the Secretary may from time to time designate, or at points which may be conveniently reached therefrom under such rules and regulations as he may prescribe, including the collection of such fees as are reasonable and as nearly as may cover the cost of the service rendered.

This language was omitted from the 1955 and 1956 acts since authority for such inspection is authorized by the Agricultural

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Marketing Act of 1946 and other laws. The 1955 appropriation act provided simply for carrying on—

service to improve and develop marketing and distribution relating to agriculture as authorized by the Agricultural Marketing Act of 1946 (7 U. S. C. 1621–1627) and other laws, including the administration of marketing regulatory acts connected therewith.

This change in appropriation language raises the question as to whether inspection certificates issued under the Agricultural Marketing Act of 1946 are issued under an "Act making appropriations for the Department of Agriculture" and so covered by the penalty provisions of section 14 (b) of the Perishable Agricultural Commodities Act (which is the only act providing penalties for forgery of such inspection certificates issued under the Department's authority). Practically all inspections now carried on under the Department's authority, except those for cotton, tobacco, naval stores, and commodities covered by the United States Grain Standards Act, are carried on under the Agricultural Marketing Act of 1946. Those for fresh and frozen fruits and vegetables could be carried on under the Perishable Agricultural Commodities Act, but as a matter of fact are carried on under the 1946 act. S. 1757 by inserting a penalty provision in the Agricultural Marketing Act of 1946 covering inspection certificates issued under that act would remove any doubt as to the penalty for forging such certificates. It would also tend to reduce the confusion which has existed heretofore as a result of prosecutions being brought under the Perishable Agricultural Commodities Act for forgery of inspection certificates for commodities not subject to that act.

The penalty provision which would be added to the Agricultural Marketing Act of 1946 by S. 1757 is more inclusive and stricter than the penalty provision of the Perishable Agricultural Commodities Act in the following respects:

(1) It covers violations of such regulations as may be issued to govern the use of inspection certificates, memoranda, marks, and devices. This authority might be used to cover such things as possession of grade stamps, destruction or preservation of certificates, and use or reuse of marked bags. One matter that it is intended to cover is the use of the letters "U. S. D. A." and grade designations on meat.

(2) It is applicable to memoranda, marks, identifications and devices, as well as inspection certificates. Thus forgery of grade stamps would be covered.

(3) It covers the use, as well as publication or utterance, of false material. Thus a retailer who knowingly used false certificates uttered by his supplier would be covered.

(4) It omits the requirement of the Perishable Agricultural Commodities Act that the act be done "for a fraudulent purpose." Proof of this element has created some problems in the past.

(5) As introduced, it covers false or deceptive representations in connection with any United States standard or service issued or authorized under the Agricultural Marketing Act of 1946. Insofar as this provision is applicable to inspection services, it would prevent false advertising, false labeling of display counters, and similar practices, and your committee believes this to be a proper purpose. Insofar as it applies to other services authorized under the act, it might cover deceptive representation in connection with marketing or cost studies, market information, or any service designed to facilitate

the marketing, distribution, processing, and utilization of agricultural products through commercial channels. Your committee feels that this would go beyond the intended scope of the bill and recommends that this provision be limited to standards and inspection services.

(6) It provides for a maximum fine of $1,000 instead of $500. Violations would continue to be misdemeanors under 18 United States Code 1 since the maximum term of imprisonment would be 1 year.

Any rules issued under the proposed provision would be required by section 3 of the Administrative Procedure Act (5 U. S. C. 1002) to be published in the Federal Register. Section 4 of that act provides for advance notice and an opportunity for interested persons to submit views before such rules may become effective.

The committee amendments would (1) make it clear that possession of true certificates, etc. contrary to the Secretary's regulations, or possession of false certificates, etc. without notifying the Secretary, would be covered by the bill; (2) limit the bill to wrongdoing in connection with inspection, grading, and certification services; and (3) repeal the farm produce inspection clause and the provisions of the Produce Agency Act which provide for the inspection of agricultural commodities. The provisions to be repealed duplicate in part the authority contained in the Agricultural Marketing Act of 1946, and are no longer used or needed.

The letter from the Department of Agriculture requesting this legislation is attached.

DEPARTMENTAL VIEWS

DEPARTMENT OF AGRICULTURE,
Washington 25, D. C., April 13, 1955.

The VICE PRESIDENT,
United States Senate.

DEAR MR. VICE PRESIDENT: There is transmitted herewith for consideration by the Congress proposed legislation to amend the Agricultural Marketing Act of 1946. The amendment provides additional safeguards against forgery or alteration of inspection certificates, unauthorized use of official grade marks or designations, and false or deceptive reference to United States grade standards or services.

Under existing legislation a provision of the Perishable Agricultural Commodities Act of 1930 provides for a fine or imprisonment, or both, for forgery, alteration or other misuse of inspection certificates issued under that act or under any act making appropriations for the Department of Agriculture (7 U. S. C. 499n (b)). This is the only statute protecting the integrity of such certificates issued by the Department or by Federal-State permissive inspection or grading services for meat, dairy, poultry, fruits, vegetables, and related products. In the fiscal year 1954 and prior years the annual agricultural appropriation acts authorized the inspection and grading of agricultural commodities and the issuance of appropriate certificates therefor. Similar authority for such inspection and grading services was also provided in the Agricultural Marketing Act of 1946. In the interest of simplifying the appropriation language by eliminating therefrom language for which there was adequate authority in other acts, the 1955 appropriation no longer refers to the issuance of certificates for inspection and grading services. Such certificates are issued under authority of the Agricultural Marketing Act of 1946, which does not contain a penalty provision such as that in the Perishable Agricultural Commodities Act. To clarify this matter, particularly since a criminal penalty is involved, and to assure continuation of this protection for all inspection certificates, this proposed legislation is needed. It is desirable to amend the Agricultural Marketing Act rather than the Perishable Agricultural Commodities Act since the basic provisions of the latter act are applicable only to fresh and frozen fruits and vegetables, while this safeguard for official certificates applies to all commodities.

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It is proposed that the statute be further amended to prohibit the unauthorized use of official grade marks or designations and the making of false or deceptive references to United States grade standards or inspection services. Inspection or grading for quality by the USDA is an integral part of the marketing function for many of these important agricultural products. False, deceptive, or unauthorized marks or claims concerning the United States grades or the Government inspection relating thereto are detrimental to the best interests of the producer, distributors, and consumers. At present the Department has no direct protection for itself or for the public against such practices.

The amendment includes the imposition of a fine not to exceed $1,000 for violation of the act. This is consistent with provisions of other laws under which the inspection and grading of agricultural commodities are authorized.

Additional funds, if any, required for the administration of the act by reason of the enactment of this statute would be small and would depend on the regulations issued governing the use of official grade marks.

The Bureau of the Budget advises that, from the standpoint of the program of the President, there is no objection to the submission of this proposed legislation.

Sincerely yours,

TRUE D. MORSE,
Acting Secretary.

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX, of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

SECTION 203(h) OF THE AGRICULTURAL MARKETING ACT OF 1946

(h) To inspect, certify, and identify the class, quality, quantity, and condition of agricultural products when shipped or received in interstate commerce, under such rules and regulations as the Secretary of Agriculture may prescribe, including assessment and collection of such fees as will be reasonable and as nearly as may be to cover the cost of the service rendered, to the end that agricultural products may be marketed to the best advantage, that trading may be facilitated, and that consumers may be able to obtain the quality product which they desire, except that no person shall be required to use the service authorized by this subsection. Any official certificate issued under the authority of this subsection shall be received by all officers and all courts of the United States as prima facie evidence of the truth of the statements therein contained. *Whoever shall violate any provision of any regulation promulgated by the Secretary of Agriculture to govern the possession or use of certificates, memoranda, marks, or other identifications with respect to inspection, class, grade, quality, size, quantity or condition, or devices for making such marks or identifications, issued or authorized under this Act, or falsely make, issue, alter, forge, or counterfeit any such certificate, memorandum, mark, identification, or device, or knowingly cause or procure, or aid, assist in, or be a party to, such violation, false making, issuing, altering, forging, or counterfeiting, or whoever knowingly shall possess without promptly notifying the Secretary of Agriculture or his representative, utter, publish, or use as true or cause to be uttered, published, or used as true any such false, altered, forged, or counterfeited certificate, memorandum, mark, identification, or device, or in any manner make any false or deceptive representation in connection with any United States standard or inspection, grading, or certification service issued or authorized under this Act shall be fined not more than $1,000 or imprisoned not more than one year, or both.*

FARM PRODUCE INSPECTION CLAUSE CONTAINED IN 1954 AND PRECEDING APPROPRIATION ACTS (7 U. S. C. 414)

§ 414. Investigation and certification of condition, etc., of any agricultural commodity or food product offered for interstate shipment

[Investigations and certifications are authorized, in one or more jurisdictions, to shippers and other interested parties the class, quality, and condition of any agricultural commodity or food product, whether raw or processed, and any product containing an agricultural commodity or derivative thereof when offered

for interstate shipment or when received at such important central markets as the Secretary may from time to time designate, or at points which may be conveniently reached therefrom under such rules and regulations as he may prescribe, including the collection of such fees as are reasonable and as nearly as may cover the cost of the service rendered.]

SECOND, THIRD, AND FOURTH SENTENCES OF SECTION 1 OF THE PRODUCE AGENCY ACT OF MARCH 3, 1927

[The Secretary of Agriculture shall by regulation provide for the making of prompt investigations and the issuing of certificates as to the quality and condition of produce received in interstate commerce or in the District of Columbia, upon application of any person, firm, association, or corporation shipping, receiving, or financially interested in, such produce. Such regulations shall designate the classes of persons qualified and authorized to make such investigations and issue such certificates, except that any such investigation shall be made and any such certificate shall be issued by at least two disinterested persons in any case where such investigation is not made by an officer or employee of the Department of Agriculture or of any State or political subdivision thereof or of the District of Columbia. A certificate made in compliance with such regulations shall be prima facie evidence in all Federal courts of the truth of the statements therein contained as to the quality and condition of the produce; but if any such certificate is put in evidence by any party, in any civil or criminal proceeding, the opposite party shall be permitted to cross-examine any person signing such certificate, called as a witness at the instance of either party, as to his qualifications and authority and as to the truth of the statements contained in such certificate.]

Comparison of the language of section 14 (b) of the Perishable Agricultural Commodities Act with the language proposed to be added by S. 1757 to section 203 (h) of the Agricultural Marketing Act of 1946 (language contained only in section 14 (b) is enclosed in black brackets; language contained only in S. 1757 is printed in italic; language contained in both is shown in roman):

Whoever shall *violate any provision of any regulation promulgated by the Secretary of Agriculture to govern the use of certificates, memoranda, marks, or other identifications with respect to inspection, class, grade, quality, size, quantity or condition, or devices for making such marks or identifications, issued or authorized under this Act, or* falsely make, issue, alter, forge, or counterfeit *any such certificate, memorandum, mark, identification, or device,* or *knowingly* cause or procure [to be falsely made, issued, altered, forged, or counterfeited], or [willingly] aid, [cause, procure or] assist in, or be a party to, *such violation,* [the] false making, issuing, altering, forging, or counterfeiting [of any certificate of inspection issued under authority of this Act, the Produce Agency Act of March 3, 1927 (7 U. S. C., sec. 491–497), or any Act making appropriations for the Department of Agriculture;], or *whoever knowingly* shall utter [or], publish, *or use* as true or cause to be uttered [or], published, *or used* as true any such false, [forged,] altered, *forged,* or counterfeited certificate, *memorandum, mark, identification, or device, or in any manner make any false or deceptive representation in connection with any United States standard or service issued or authorized under this Act* [for a fraudulent purpose, shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not more than $500 or by imprisonment for a period of not more than one year, or both, at the discretion of the court] *shall be fined not more than $1,000 or imprisoned not more than one year, or both.*

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Calendar No. 568

84TH CONGRESS, 1st Session | SENATE | REPORT No. 563

CONSOLIDATION OF AGRICULTURAL EXPERIMENT STATION APPROPRIATIONS

JUNE 15 (legislative day, JUNE 14), 1955.—Ordered to be printed

Mr. ELLENDER, from the Committee on Agriculture and Forestry, submitted the following

REPORT

[To accompany S. 1759]

The Committee on Agriculture and Forestry, to whom was referred the bill (S. 1759) to consolidate the Hatch Act of 1887 and laws supplementary thereto relating to the appropriation of Federal funds for the support of agricultural experiment stations in the States, Alaska, Hawaii, and Puerto Rico, having considered the same, report thereon with a recommendation that it do pass with amendments.

This bill would consolidate the various laws authorizing appropriations for the support of the agricultural experiment stations in the States, Alaska, Hawaii, and Puerto Rico. Such consolidation would simplify budgeting and accounting requirements for the Department of Agriculture and for the States, Territories, and Puerto Rico, since separate budgets and accounts are now required under each of the acts providing for grants. The bill would also (1) prevent any part of the State allotments from shifting with shifts in relative rural and farm populations; (2) repeal the requirement that 20 percent of the funds appropriated pursuant to section 9 of the Bankhead-Jones Act must be devoted to marketing research insofar as such requirement applies to appropriations under section 9 in excess of the 1955 appropriations thereunder; and (3) repeal a provision which, in providing for payment to the Georgia Experiment Station of funds which had been withheld by the Secretary in 1918, permanently exempted that station from the Secretary's authority to withhold funds from stations not complying with the act. Consolidation has been recommended by the Appropriations Committees of the House and Senate, and the bill has been approved unanimously by a committee representing the Association of Land-Grant Colleges and Universities. Similar action was taken in Public Law 83, 83d Congress, to consolidate the extension service appropriations.

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The bill, which takes the form of an amendment to the Hatch Act, consolidates 12 acts or sections thereof. The principal acts providing grants for experiment stations and the amounts provided by them are:

Act	*Amount*
Hatch Act	$15,000 for each State.
Adams Act	Do.
Purnell Act	$60,000 for each State.
The Bankhead-Jones Act of 1935.	$23,000,000, plus such further sums as Congress might deem necessary, for allotment among the States. (Sec. 5 provided $3,000,000 to be allotted on the basis of rural population [but $63,708 to be available for allotment among States which received allotments in 1942 so as to prevent reduced allotments on account of changes in relative rural populations]. Sec. 9 provided $20,000,000, plus such further sums as Congress might deem necessary, all to be allotted as follows: (1) 20 percent to be allotted equally; (2) not less than 52 percent to be allotted one-half on the basis of rural population and one-half on the basis of farm population; (3) not more than 25 percent to be allotted for cooperative research by 2 or more stations; and (4) 3 percent to be available to the Office of Experiment Stations for administration.)

Exhibits A and B, attached, show the division of these funds among the States for 1955 and the estimated division for 1956. The other 8 acts or sections covered by the consolidation are 4 acts extending the experiment station grant laws to Hawaii, Alaska, and Puerto Rico, 2 amendatory of the Hatch Act and the Bankhead-Jones Act of 1935, respectively, a provision requiring experiment stations to devote some of their time to the examination and classification of soils, and an act directing payment to the Georgia Experiment Station, which should have been confined to 1 year, but instead created a permanent exemption for this station from the Secretary's authority to withhold grants in certain cases.

Section 1 of the Hatch Act as it would be amended by S. 1759 states the congressional purpose of simplifying the law. "State" is defined to include Alaska, Hawaii, and Puerto Rico. "State agricultural experiment station" is defined to include the present stations (generally departments of land-grant colleges) and "such other substantially equivalent arrangements as any State shall determine."

Section 2 is a very broad statement of policies and objectives. The first part, derived principally from section 1 of the Bankhead-Jones Act (which by reference in sec. 2 of the act is applicable to grants under that act), relates to "efficient production, marketing, distribution, and utilization" of farm products and to assuring agriculture a position in research equal to that of industry. The second part makes it the object and duty of the experiment stations to conduct "original and other researches" contributing to the establishment and maintenance of effective agricultural industry in the United States, including research into problems of rural life and contributions by agriculture to the welfare of consumers.

While the language setting out the objectives of the various existing acts varies somewhat, their objectives are broad, particularly in the case of the Bankhead-Jones and Purnell Acts, which provide the major part of the money; and it would appear that any research which might be undertaken under the proposed language could be undertaken under one or more of the existing acts (and vice versa).

Moneys appropriated under the Hatch Act may be used for original researches and verification of experiments on enumerated problems concerned with production, and other researches bearing "directly" on the agricultural industry of the United States. Adams Act funds are limited to "original" researches bearing "directly" on the agricultural industry of the United States. The Purnell Act provides for "experiments bearing directly on the production, manufacture, preparation, use, distribution, and marketing of agricultural products," including researches directed toward the establishment and maintenance of an efficient agricultural industry, "and such economic and sociological investigations as have for their purpose the development and improvement" of rural life. The Bankhead-Jones Act, from which most of the proposed section 2 is derived, provides for "research into the laws and principles underlying the basic problems of agriculture in its broadest aspects."

Despite the broad language of the existing acts, their differences complicate budgeting and accounting procedure. Miscellaneous Publication No. 515: Federal Legislation, Rulings, and Regulations Affecting the State Agricultural Experiment Stations, issued by the Department, states on page 4:

> The Federal-grant funds are available only for investigations within the purposes outlined in the respective acts. * * * To assure compliance it is necessary that expenditures of funds under a respective act be accounted for as separate units of expenditures for research. Effective use and evidence of compliance is best accomplished by administration of the research and expenditures on the basis of separate programs of specific research projects representing definite pieces of investigation within the authorizations of the respective acts.
>
> Since the separate identity of the several Federal-grant funds—Hatch, Adams, Purnell, Bankhead-Jones section 5, and Bankhead-Jones section 9 (b) (1) and (2), and allotments from the Agricultural Marketing Act section 204 (b)—must be maintained in reporting expenditures and results, not more than one of these direct grant funds should be used to support an individual research project, except that any single one of the funds may be used to supplement an allotment of Bankhead-Jones section 9 (b) (3) funds.

It is the principal purpose of the bill to correct this difficulty.

Section 3 provides for the appropriation and allotment of grants.

Subsection (a) would authorize the appropriation of such sums as Congress might determine. This is consistent with existing law, since section 9 of the Bankhead-Jones Act removed any limitation on the total amount Congress might appropriate.

Subsection (b) provides for allotment to each State and to the Department of Agriculture of the amount allotted to it in fiscal 1955, except that the regional research fund is continued available for allotment as needed for that purpose. Any reductions in appropriations from the 1955 level are to be shared pro rata. The only change this section appears to make from existing law is to freeze the various States' shares of the amount appropriated for 1955, thereby preventing shifts in Bankhead-Jones Act funds with shifts in relative rural and farm populations. The shifts required by the 1950 census have already occurred.

This subsection, with the committee amendment, also provides that amounts received under this subsection shall be "subject to the same requirement as to use for marketing research projects" as the sums received for 1955. This would preserve, with respect to the existing level of approriations, the present requirement for the use of 20 percent of section 9 (Bankhead-Jones) funds for marketing research. The committee amendment would not change the purpose of this

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provision, but would clarify it by designating the particular requirement intended.

Subsection (c) provides that any sums additional to those provided for by subsection (b) would be allotted in the manner now prescribed for their allotment by section 9 of the Bankhead-Jones Act. The only substantive difference from existing law is that the allotment of each additional amount would be made on the basis of the decennial census current at the time such amount is first appropriated rather than on the most recent decennial census each time such amount is appropriated. This would prevent allotments from shifting with relative rural and farm populations. In the case of each additional amount appropriated, as is the case under existing law, (1) 20 percent would be allotted equally to the States, (2) not less than 26 percent would be allotted on the bais of rural population, and an equal percentage would be allotted on the basis of farm population, (3) not more than 25 percent would be allotted for cooperative regional projects recommended by a committee of 9 and approved by the Secretary of Agriculture, and (4) 3 percent would be available to the Secretary of Agriculture for administration.

Subsection (d) preserves the present matching requirements. The $90,000 allotted to each State under the Hatch, Adams, and Purnell Acts are not now and would not be required to be matched. Amounts allotted under the Bankhead-Jones Act are and would be required to be matched by the States.

Subsection (e) would provide for the Secretary's participation in planning and coordinating cooperative regional research, as now provided by section 9 (c) of the Bankhead-Jones Act.

Subsection (f) would authorized the Secretary to adjust payments to the nearest dollar.

Section 4 would provide for printing and disseminating the results of research, retirement of employees, administrative planning and direction, the purchase and rental of land, and the construction, acquisition, alteration, or repair of buildings necessary for conducting research. Hatch, Purnell, and Bankhead-Jones funds are now available for printing and disseminating results of research, but only research conducted under their respective provisions. Adams Act funds may not be used for printing and disseminating. Deductions from all experiment station grant funds to provide for retirement of employees is now provided for by the act of March 4, 1940 (54 Stat. 39) and this provision would be preserved. Hatch Act funds are available for administrative planning and direction of research author ized by any of the acts, while Adams, Purnell, and Bankhead-Jones section 5 funds have administratively not been made available for this purpose. Bankhead-Jones section 9 funds are available for planning research in cooperation with others. No Hatch Act funds are available for the purchase or rental of land, but 5 percent are available for the erection, enlargement, or repair of station buildings. Five percent of Adams Act funds and 10 percent of Purnell Act funds are available for the "purchase, erection, preservation, or repair" of buildings and for the "purchase or rental of land." Bankhead-Jones Act funds are available without limitation for the "purchase and rental of land and the construction or acquisition of buildings * * * [and] for the equipment and maintenance of such buildings." However all recent agricultural appropriation acts prohibit use of Bankhead-

Jones funds to begin construction of any building costing in excess of $15,000.

Section 4 would also authorize the stations to plan and conduct research in cooperation with each other, as is now provided by section 9 (a) of the Bankhead-Jones Act for activities under that act.

Section 5 would provide for payment of allotments in quarterly installments to the treasurer (or other officer appointed by the governing board of the station), who is required to report on or before September 1 of each year, with the approval of the director (the chief administrative officer), the disbursements during the preceding fiscal year. This accords with present procedure. Section 5 would further provide that funds diminished, lost, or misapplied must be replaced by the State before any further payment may be made to the State. This accords with section 3 of the Adams and Purnell Acts, but at present Hatch and Bankhead-Jones Acts funds diminished, lost, or misapplied are treated as unexpended balances and deducted from the next succeeding allotment (18 Comp. Dec. 120,485).

Section 6 would accord the penalty mail privilege to experiment station publications. Free mailing privileges are now provided by section 4 of the Hatch Act.

Section 7 would contain a number of administrative provisions. It would provide for—

(1) administration by the Secretary, as now provided by section 4 of the Adams and Purnell Acts;

(2) rules and regulations, as now provided by section 7 of the Bankhead-Jones Act;

(3) advice and assistance by the Secretary, as now provided by annual appropriation acts and section 3 of the Hatch Act;

(4) annual determination by the Secretary as to the amount to which each station is entitled, as now provided by section 4 of the Adams and Purnell Acts;

(5) deduction from succeeding allotments of the amount of any unexpended balances of preceding allotments, as now provided by section 6 of the Hatch Act, which the Comptroller of the Treasury has held applicable to the Adams Act and the Department of Agriculture has held applicable to the Purnell and Bankhead-Jones Acts;

(6) report of any amounts withheld to the President, as now required by section 4 of the Adams and Purnell Acts; and

(7) an annual report to Congress, as now provided by section 5 of the Adams and Purnell Acts.

Section 8 would include matter now covered by sections 7 and 8 of the Hatch Act which—

(1) deny any intent to modify legal relations existing between the colleges and the State governments; and

(2) authorize States to apply benefits of the act to experiment stations separate from the colleges and to divide benefits between experiment stations.

Section 9 would reserve to Congress the right to amend, suspend, or repeal any provisions of the act, as is now provided by section 10 of the Hatch Act, section 6 of the Adams and Purnell Acts, and section 8 of the Bankhead-Jones Act.

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The sections discussed above are sections of the Hatch Act as it would be amended by section 1 of S. 1759. Section 2 of S. 1759, with the committee amendments, would repeal—

(1) sections 2 through 9 of the Bankhead-Jones Act and the provisions of section 11 of that act related to section 9 of that act. The related provisions of section 11 require 20 percent of the funds authorized to be appropriated by section 9 (a) to be used for marketing research projects approved by the Department, and cooperative research projects under section 9 (b) (3) to be carried out under cooperative agreements with the Secretary. Since cooperative research projects must be approved by the Secretary, cooperative agreements would not appear to be necessary. The requirement that 20 percent of section 9 (a) funds be used for marketing research would continue effective with respect to the existing level of appropriations, as discussed earlier in this report. Sections 3 and 4 of the Bankhead-Jones Act authorize the appropriation of $2 million for research by the Secretary under section 1 of the Bankhead-Jones Act. The Department advises that this authorization is not needed and serves no useful purpose, since other authority exists and is used for appropriations for this type of research. The matter contained in the remaining sections which would be repealed would be covered by the Hatch Act as it would be amended by the bill;

(2) the Adams and Purnell Acts, which would be covered by the Hatch Act, as amended;

(3) section 105 of the Department of Agriculture Organic Act of 1944, which amended section 5 of the Bankhead-Jones Act and would in effect be repealed by repeal of that act;

(4) the act of June 7, 1888, amending the Hatch Act;

(5) the act of May 16, 1928, extending the benefits of the Experiment Station and Extension Acts to Hawaii;

(6) the act of February 23, 1929, extending the benefits of the Hatch Act and the Smith-Lever Acts to Alaska;

(7) the act of June 20, 1936, extending the benefits of the Adams, Purnell, and Capper-Ketcham Acts to Alaska; and

(8) the act of March 4, 1931, extending the benefits of the Hatch, Smith-Lever, and supplementary acts to Puerto Rico.

(The acts of May 16, 1928, February 23, 1929, and March 4, 1931, were repealed insofar as they related to extension work by Public Law 83, 83d Congress. Section 1 of the act of June 20, 1936, insofar as it related to extension work and section 3 of that act were repealed by Public Law 417, 81st Congress. The Department has advised that the bill as introduced was intended to repeal these acts insofar as they relate to the experiment stations and that, since they now relate only to experiment stations, they might be completely repealed. The committee amendments are therefore clarifying only.)

(6) that portion of the Department of Agriculture Appropriation Act of 1890 requiring experiment stations, as far as practicable, to devote a portion of their work to the examination and classification of soils. The Department advises that this

provision is not significant and its repeal would not affect the soil-testing services rendered by the stations.

(7) that part of the act of October 1, 1918, directing the Secretary to make payments to the Georgia Experiment Station in accordance with an act of the Georgia Legislature. This was required in 1918 to provide for payment of funds which had been withheld by the Secretary. There is no reason why the Georgia station should have a permanent exemption from withholding provisions applicable to all other stations. The act of October 1, 1918, was an appropriation act, and the committee amendment would restrict repeal to the portion described.

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EXHIBIT A.—*Distribution by State experiment station of Federal-grant funds authorized by the Hatch, Adams, and Purnell Acts, and title I, secs. 5 and 9, Bankhead-Jones Act, for fiscal year 1955*

Station	Hatch, Adams, and Purnell Acts	Bankhead-Jones Act, title I				Estimated total Federal-grant funds, 1955 (cols. 1+2+5)	Proportionate share of required marketing research (sec. 11) (based on col. 5)
		Sec. 5	Sec. 9 (b) 1 and 9 (b) 2				
			1954	Increase	1955		
	(1)	(2)	(3)	(4)	(5)		
Alabama	$90,000	$88,305.89	$133,140.70	$122,045.63	$255,186.33	$433,492.22	$52,615.74
Alaska	90,000	4,736.40	26,277.21	24,087.44	50,364.65	145,101.05	10,384.46
Arizona	90,000	16,740.68	37,866.36	34,710.81	72,577.17	179,317.85	14,964.37
Arkansas	90,000	66,187.20	110,495.49	101,287.53	211,783.02	367,970.22	43,666.60
California	90,000	102,716.44	120,045.86	110,042.03	230,087.89	422,804.33	47,440.80
Colorado	90,000	25,460.16	50,045.50	45,875.03	95,920.53	211,380.69	19,777.43
Connecticut, State	45,000	11,257.19	20,232.12	18,546.10	38,778.22	95,035.41	7,995.51
Connecticut, Storrs	45,000	11,257.19	20,232.11	18,546.11	38,778.22	95,035.41	7,995.51
Delaware	90,000	5,970.02	29,068.42	26,646.06	55,714.48	151,684.50	11,487.52
Florida	90,000	48,046.76	65,419.75	59,968.09	125,387.84	263,434.60	25,833.16
Georgia	90,000	98,402.95	137,787.52	126,305.23	264,092.75	452,495.70	54,452.12
Hawaii	90,000	10,463.17	34,924.99	32,014.58	66,939.57	167,402.74	13,801.97
Idaho	90,000	16,866.19	43,581.26	39,949.49	83,530.75	190,396.94	17,222.84
Illinois	90,000	99,478.95	127,294.38	116,686.52	243,980.90	433,459.85	50,305.34
Indiana	90,000	79,141.32	110,293.65	101,102.50	211,396.15	380,537.47	43,586.84
Iowa	90,000	74,227.20	112,139.73	102,794.75	214,934.48	379,161.68	44,316.39
Kansas	90,000	53,057.23	77,378.69	70,930.45	148,309.14	291,366.37	30,579.21
Kentucky	90,000	93,378.88	137,758.14	126,278.28	264,036.42	447,415.30	54,440.50
Louisiana	90,000	60,813.78	93,776.13	85,961.46	179,737.59	330,551.37	37,059.30
Maine	90,000	22,270.08	44,300.11	40,608.43	84,908.54	197,179.22	17,506.92
Maryland	90,000	36,488.62	55,659.01	51,020.76	106,679.77	233,168.39	21,995.83
Massachusetts	90,000	36,698.19	49,846.19	45,692.33	95,538.52	222,236.71	19,698.66
Michigan	90,000	93,777.64	120,523.38	110,479.74	231,003.12	414,780.76	47,629.51
Minnesota	90,000	68,128.03	108,940.02	99,861.69	208,801.71	366,929.74	43,051.90
Mississippi	90,000	80,016.75	137,501.50	126,043.03	263,544.53	433,561.28	54,339.08
Missouri	90,000	78,849.57	121,398.40	111,281.85	232,680.25	401,529.82	47,975.31
Montana	90,000	18,004.00	41,506.55	38,047.68	79,554.23	187,558.23	16,402.93
Nebraska	90,000	41,343.56	68,193.52	62,510.72	130,704.24	262,047.80	26,949.33
Nevada	90,000	3,435.49	26,316.54	24,123.48	50,440.02	143,875.51	10,400.00
New Hampshire	90,000	11,363.43	33,222.77	30,454.20	63,676.97	165,040.40	13,129.27
New Jersey	90,000	32,575.43	49,336.09	45,224.74	94,560.83	217,136.26	19,497.08
New Mexico	90,000	17,027.28	41,530.45	38,069.57	79,600.02	186,627.30	16,412.38
New York Cornell	81,000	97,003.93	109,059.50	99,971.21	209,030.71	387,034.64	43,099.12
New York, State	9,000	10,778.21	12,117.72	11,107.91	23,225.63	43,003.84	4,788.79
North Carolina	90,000	135,186.64	186,720.97	171,160.89	357,881.86	583,068.50	73,700.08
North Dakota	90,000	26,670.28	52,461.15	48,089.39	100,550.54	217,220.82	20,732.07

Ohio	90,000	118,853.05	145,105.03	133,012.93	278,117.96	486,971.01	57,343.91
Oklahoma	90,000	63,847.68	89,445.82	81,992.00	171,437.82	325,285.50	35,348.01
Oregon	90,000	35,230.21	57,874.99	53,052.07	110,927.06	236,157.27	22,871.56
Pennsylvania	90,000	155,317.78	155,603.14	142,636.22	268,239.36	543,557.14	61,492.65
Puerto Rico	90,000	66,036.41	128,351.41	117,655.46	246,006.87	402,043.28	50,723.07
Rhode Island	90,000	6,257.12	27,783.01	25,467.75	53,250.76	149,507.88	10,979.54
South Carolina	90,000	68,111.24	105,754.52	96,941.65	202,666.17	360,807.41	41,793.03
South Dakota	90,000	26,510.78	51,888.73	47,564.66	99,453.39	215,964.17	20,505.85
Tennessee	90,000	92,293.90	139,936.08	128,274.74	268,210.82	450,504.72	55,301.20
Texas	90,000	150,461.58	186,821.22	171,252.77	358,073.99	598,535.57	73,829.69
Utah	90,000	12,499.09	35,961.17	32,964.39	68,925.56	171,424.65	14,211.46
Vermont	90,000	12,884.06	35,459.86	32,504.86	67,964.72	170,848.78	14,013.35
Virginia	90,000	88,612.55	119,487.94	109,530.60	229,018.54	407,631.09	47,220.32
Washington	90,000	43,950.86	65,831.98	60,345.96	126,177.94	260,128.80	26,016.07
West Virginia	90,000	65,794.28	86,464.55	79,259.17	165,723.72	321,518.00	34,169.84
Wisconsin	90,000	73,259.15	110,600.09	101,383.40	211,983.49	375,242.64	43,707.94
Wyoming	90,000	7,662.93	31,238.49	28,635.28	59,873.79	157,536.70	12,345.11
Total	4,590,000	2,863,708.00	4,319,999.91	3,959,999.62	8,279,999.53	15,733,707.53	1,707,216.47
Regional research fund, sec. 9 (b) 3			1,500,000.00	1,375,000.00	2,875,000.00	2,875,000.00	592,783.53
Administration, sec. 9 (c)			180,000.00	165,000.00	345,000.00	345,000.00	
Grand total	4,590,000	2,863,708.00	5,999,999.91	5,499,999.62	11,499,999.53	18,953,707.53	2,300,000.00

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EXHIBIT B.—*Distribution by State experiment station of Federal-grant funds authorized by the Hatch, Adams, and Purnell Acts, and title I, secs. 5 and 9, Bankhead-Jones Act, estimated for fiscal year 1956*

Station	Hatch, Adams, and Purnell Acts	Bankhead-Jones Act, title I				Estimated total Federal-grant funds, 1956 (cols. 1+2+5)	Proportionate share of required marketing research (sec. 11) (based on col. 5)
		Sec. 5	Secs. 9 (b) 1 and 9 (b) 2				
			1955	Increase	1956		
	(1)	(2)	(3)	(4)	(5)		
Alabama	$90,000	$88,305.89	$255,186.33	$117,607.63	$372,793.96	$551,099.85	$76,864.73
Alaska	90,000	4,736.40	50,364.65	23,211.55	73,576.20	168,312.60	15,170.35
Arizona	90,000	16,740.68	72,577.17	33,448.62	106,025.79	212,766.47	21,860.99
Arkansas	90,000	66,187.20	211,783.02	97,604.36	309,387.38	465,574.58	63,791.21
California	90,000	102,716.44	230,087.89	106,040.52	336,128.41	528,844.85	69,304.83
Colorado	90,000	25,460.16	95,929.53	44,206.87	140,127.40	255,587.56	28,892.25
Connecticut, State	45,000	11,257.19	38,778.22	17,871.71	56,649.93	112,907.12	11,680.40
Connecticut, Storrs	45,000	11,257.19	38,778.22	17,871.71	56,649.93	112,907.12	11,680.40
Delaware	90,000	5,970.02	55,714.48	25,677.12	81,391.60	177,361.62	16,781.77
Florida	90,000	48,046.76	125,387.84	57,787.46	183,175.30	321,222.06	37,768.10
Georgia	90,000	98,402.95	264,092.75	121,712.33	385,805.08	574,208.03	79,547.44
Hawaii	90,000	10,463.17	66,939.57	30,850.42	97,789.99	198,253.16	20,162.89
Idaho	90,000	16,856.19	83,530.75	38,496.79	122,027.54	228,893.73	25,160.32
Illinois	90,000	99,478.95	243,980.90	112,443.39	356,424.29	545,903.24	73,489.55
Indiana	90,000	79,141.32	211,396.15	97,426.05	308,822.20	477,963.52	63,674.68
Iowa	90,000	74,227.20	214,934.48	99,056.76	313,991.24	478,218.44	64,740.46
Kansas	90,000	53,057.23	148,309.14	68,351.20	216,660.34	359,717.57	44,672.24
Kentucky	90,000	93,378.88	264,036.42	121,686.37	385,722.79	569,101.67	79,530.47
Louisiana	90,000	60,813.78	179,737.59	82,935.59	262,573.18	413,386.96	54,138.80
Maine	90,000	22,270.68	84,908.54	39,131.77	124,040.31	236,310.99	25,575.32
Maryland	90,000	36,388.62	105,679.77	49,165.46	155,845.23	282,333.85	32,133.04
Massachusetts	90,000	36,808.19	95,538.52	44,030.82	139,569.34	266,267.53	28,777.18
Michigan	90,000	93,777.64	231,003.12	106,462.32	337,465.44	521,243.08	69,580.50
Minnesota	90,000	68,128.03	208,801.71	96,230.37	305,032.08	463,160.11	62,893.21
Mississippi	90,000	80,016.75	263,544.53	121,459.67	385,004.20	555,020.95	79,382.31
Missouri	90,000	78,849.57	232,680.25	107,235.27	339,915.52	508,765.09	70,085.67
Montana	90,000	18,904.00	79,554.23	36,664.14	116,218.37	224,222.37	23,962.55
Nebraska	90,000	41,343.55	130,704.24	60,237.61	190,941.85	322,285.41	39,369.45
Nevada	90,000	3,435.49	50,440.02	23,246.28	73,686.30	167,121.79	15,193.05
New Hampshire	90,000	11,353.43	63,676.97	29,346.80	93,023.77	194,387.20	19,180.16
New Jersey	90,000	32,575.43	94,550.83	43,580.22	138,141.05	260,716.48	28,482.69
New Mexico	90,000	17,027.28	79,600.02	36,685.23	116,285.25	223,312.53	23,976.34
New York, Cornell	81,000	97,003.93	209,030.71	96,335.90	305,366.61	483,370.54	62,962.19
New York, State	9,000	10,778.21	23,225.63	10,703.99	33,929.62	53,707.83	6,995.80
North Carolina	90,000	135,185.64	357,881.86	164,936.86	522,818.72	748,005.36	107,797.67
North Dakota	90,000	26,670.28	100,550.54	46,340.69	146,891.23	263,561.51	30,286.85

Ohio	90,000	118,853.05	278,117.96	128,176.12	406,294.08	615,147.13	83,771.97
Oklahoma	90,000	63,847.68	171,437.82	79,010.49	250,448.31	404,295.99	51,638.83
Oregon	90,000	35,230.21	110,927.06	51,122.92	162,049.98	287,280.19	33,412.37
Pennsylvania	90,000	155,317.78	298,239.36	137,449.45	435,688.81	681,006.59	89,832.74
Puerto Rico	90,000	66,036.41	246,006.87	113,377.09	359,383.96	515,420.37	74,099.79
Rhode Island	90,000	6,257.12	53,250.76	24,541.67	77,792.43	174,049.55	16,039.68
South Carolina	90,000	68,111.24	202,696.17	93,416.51	296,112.68	454,223.92	61,054.16
South Dakota	90,000	26,510.78	99,453.39	45,835.05	145,288.44	261,799.22	29,956.38
Tennessee	90,000	92,293.90	268,210.82	123,610.22	391,821.04	574,114.94	80,787.84
Texas	90,000	150,461.58	358,073.99	165,025.42	523,099.41	763,560.99	107,855.55
Utah	90,000	12,499.09	68,925.56	31,765.72	100,691.28	203,190.37	20,761.09
Vermont	90,000	12,884.06	67,904.72	31,322.88	99,287.60	202,171.66	20,471.67
Virginia	90,000	88,612.55	229,018.54	105,547.70	334,566.24	513,178.79	68,982.73
Washington	90,000	43,950.86	126,177.94	58,151.59	184,329.53	318,280.39	38,006.09
West Virginia	90,000	65,794.28	165,723.72	76,377.03	242,100.75	397,895.03	49,917.68
Wisconsin	90,000	73,259.15	211,983.49	97,696.76	309,680.25	472,939.40	63,851.60
Wyoming	90,000	7,662.93	59,873.77	27,594.00	87,467.77	185,130.70	18,034.59
Total	4,590,000	2,863,708.00	8,279,999.53	3,816,000.00	12,096,000.00	19,549,708.00	2,494,020.62
Regional research fund, sec. 9 (b) 3			2,875,000.00	1,325,000.00	4,200,000.00	4,200,000.00	865,979.38
Administration, sec. 9 (c)			345,000.00	159,000.00	504,000.00	504,000.00	
Grand total	4,590,000	2,863,708.00	11,499,999.53	5,300,000.00	16,800,000.00	24,253,708.00	3,360,000.00

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EXHIBIT C.—*Provisions of the Federal-grant acts for agricultural research*

	Full authorization	Appropriations, 1955	Basis of distribution	Matching requirement	Rent or purchase of land—construction of buildings	Earmarking for specific purpose
Hatch Act, Mar. 2, 1887	$765,000 annually	$765,000	Equal amounts to each station	None	Cannot be used for land; limited to 5 percent for buildings.	None.
Adams Act, Mar. 16, 1906	do	765,000	do	do	Limited to 5 percent for land and buildings.	Do.
Purnell Act, Feb. 24, 1925	$3,060,000 annually	3,060,000	do	do	Limited to 10 percent for land and buildings.	Do.
Title I, sec. 5, Bankhead-Jones Act, June 29, 1935.	$3,000,000 annually	2,863,708	Principally on basis of relative rural population.	Must be matched in full.	No restriction	Do.
Title I, sec. 9, Bankhead-Jones Act, June 29, 1935 (as amended by the act of Aug. 14, 1946—Research and Marketing Act of 1946)	$20,000,000 or such larger amounts after 1951 as may be deemed necessary.	11,500,000	20 percent in equal amounts; not less than 52 percent by formula: ½ on basis of relative rural population; ½ on basis of relative farm population; 25 percent as regional research funds; 3 percent for administration.	72 percent in direct allotments must be matched in full.	do	20 percent for marketing research.

The Hatch Act authorized the establishment of the State agricultural experiment stations at the land-grant college in each State and specified that research should be conducted with due regard to the varying conditions and needs of the respective States. The Adams and Purnell Acts and title I, sections 5 and 9 of the Bankhead-Jones Act, all supplement the Hatch Act. In addition to authorizing increased funds, each of the acts specifies certain lines of agricultural research which may be undertaken. Benefits of all five acts have been extended to Hawaii, Alaska, and Puerto Rico. In addition to Federal-grant funds enumerated above, the State agricultural experiment stations are eligible to receive allotments from Agricultural Marketing Act (RMA, title II) for marketing research. Such allotments, which must be matched in full with new funds by the States, amount to $500,000 in 1955.

DEPARTMENTAL VIEWS

DEPARTMENT OF AGRICULTURE,
Washington 25, D. C., March 29, 1955.

The PRESIDENT OF THE SENATE,
United States Senate.

DEAR MR. PRESIDENT: Transmitted herewith for the consideration of the Congress is a proposed bill to consolidate the Hatch Act of 1887 and laws supplementary thereto relating to the appropriation of Federal funds for the support of agricultural experiment stations in the States, Alaska, Hawaii, and Puerto Rico.

The main purpose of the proposed bill is to consolidate and codify existing law relating to appropriations for support of State agricultural experiment stations by amending the Hatch Act of March 2, 1887 (a basic act providing for support of State agricultural experiment stations), and the repeal of other law, or provisions thereof, relating to the support of agricultural experiment stations in the States, Alaska, Hawaii, and Puerto Rico. It would also revise certain provisions of law relating to administration and payment authorizations.

Consolidation of the existing legislation, as provided for in this proposal, has been recommended at various times by the Appropriations Committees of the House of Representatives and the Senate, and by the Bureau of the Budget. This proposal, if enacted, would consolidate into 1 law 12 acts or sections thereof and thus would make possible a simplification of budgeting and accounting procedures in this Department and in each of the States, Territories, and Puerto Rico. It would also result in more efficient administration of this program.

The present authorization in section 9, title I, of the Bankhead-Jones Act, for appropriations in such amounts as Congress may from time to time determine to be necessary, is incorporated in the proposed legislation. The present requirement for the use of 20 percent of section 9 funds for marketing research would be retained with respect to the existing level of appropriations for section 9, but would not be applied to additional funds which may be appropriated under the authorization.

This matter has been before the Association of Land-Grant Colleges and Universities, and a committee representing that association has worked closely with the Department in connection with this proposed legislation. It has expressed the unanimous opinion that such legislation is both desirable and equitable to all concerned.

The proposed action parallels that taken with respect to similar legislation consolidating the acts relating to cooperative agricultural extension work (Public Law 83, 83d Cong.).

A similar letter is being sent to the Speaker of the House of Representatives.

The Bureau of the Budget advises that there is no objection to the transmission of this proposed legislation to the Congress for its consideration.

Sincerely yours,

E. T. BENSON, *Secretary.*

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CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX, of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown in this column as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

THE HATCH ACT OF MARCH 2, 1887

AN ACT To establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July second, eighteen hundred and sixty-two, and o the acts supplementary thereto

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, [That in order to aid in acquiring and diffusing among the people of the United States useful and practical information on subjects connected with agriculture, and to promote scientific investigation and experiment respecting the principles and applications of agricultural science, there shall be established, under direction of the college or colleges or agricultural department of colleges in each State or Territory established, or which may hereafter be established, in accordance with the provisions of an act approved July second, eighteen hundred and sixty-two, entitled "An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts," or any of the supplements to said act, a department to be known and designed as an "agricultural experiment station": *Provided*, That in any State or Territory in which two such colleges have been or may be so established the appropriation hereinafter made to such State or Territory shall be equally divided between such colleges, unless the legislature of such State or Territory shall otherwise direct.]

SECTION 1. It is the policy of Congress to continue the agricultural research at State agricultural experiment stations which has been encouraged and supported by the Hatch Act of 1887, the Adams Act of 1906, the Purnell Act of 1925, the Bankhead-Jones Act of 1935, and title I,

COMMENTS AND SOURCE OF NEW LANGUAGE

Where new matter which would be inserted by the bill in the Hatch Act of March 2, 1887, is derived from one or more existing acts, the principal act from which such new matter is derived is cited in this column; and the differences between such existing act and such new matter are shown as follows (existing language proposed to be omitted is enclosed in black brackets, new language is printed in italic, existing language in which no change is proposed is shown in roman):

CHANGES IN EXISTING LAW	COMMENTS AND SOURCE OF NEW LANGUAGE
section 9, of that Act as added by the Act of August 14, 1946, and Acts amendatory and supplementary thereto, and to promote the efficiency of such research by a codification and simplification of such laws. As used in this Act, the terms "State" or "States" are defined to include the several States, Alaska, Hawaii, and Puerto Rico. As used in this Act, the term "State agricultural experiment station" means a department which shall have been established, under direction of the college or university or agricultural departments of the college or university in each State in accordance with an Act approved July 2, 1862 (12 Stat. 503), entitled "An Act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts"; or such other substantially equivalent arrangements as any State shall determine.	
SEC. 2. [That it] *It is further the policy of the Congress to promote the efficient production, marketing, distribution, and utilization of products of the farm as essential to the health and welfare of our peoples and to promote a sound and prosperous agriculture and rural life as indispensable to the maintenance of maximum employment and national prosperity and security. It is also the intent of Congress to assure agriculture a position in research equal to that of industry, which will aid in maintaining an equitable balance between agriculture and other segments of our economy.* It shall be the object and duty of [said] *the State agricultural* experiment stations *through the expenditure of the appropriations hereinafter authorized* to conduct original *and other* researches [or verify experiments on the physiology of plants and animals; the diseases to which they are severally subject, with the remedies for the same; the chemical composition of useful plants at their different stages of growth; the comparative advantages of rotative cropping as pursued under a varying series of crops; the capacity of new plants or trees for acclimation; the analysis of soils and water: the chemical composition of manures, natural or artificial, with experiments designed to test their comparative effects on crops of different kinds; the adaptation and value of grasses and forage plants; the composition and digestibility of the different kinds of food for domestic animals; the scientific and economic questions involved in the production of butter and cheese; and such other researches or experiments bearing directly on the agricultural industry of the United States], *investigations, and experiments bearing*	Derived from section 1 of the Bankhead-Jones Act (7 U. S. C. 427): "SECTION 1. It is [hereby declared to be] *further* the policy of the Congress to promote the efficient production, *marketing, distribution,* and utilization of products of the [soil] *farm* as essential to the health and welfare of our [people] *peoples* and to promote a sound and prosperous agriculture and rural life as indispensable to the maintenance of maximum employment and national prosperity *and security.* It is also the intent of Congress to assure agriculture a position in research equal to that of industry, which will aid in maintaining an equitable balance between agriculture and other [sections] *segments* of our economy. [For the attainment of these objectives, the Secretary of Agriculture is authorized and directed to conduct and to stimulate research into the laws and principles underlying the basic problems of agriculture in its broadest aspects, including but not limited to: * * * research relating to any other laws and principles that may contribute] *It shall be the object and duty of the State agricultural experiment stations through the expenditure of the appropriations hereinafter authorized to conduct original and other researches, investigations, and experiments bearing directly on and contributing* to the establishment and maintenance of a permanent and effective agricultural industry *of the United States* including *researches basic to the problems of agriculture in its broadest aspects, and* such investigations as have for their purpose the development and improvement of the rural home and rural life [,] and the max-

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CHANGES IN EXISTING LAW	COMMENTS AND SOURCE OF NEW LANGUAGE
directly on and contributing to the establishment and maintenance of a permanent and effective agricultural industry of the United States, including researches basic to the problems of agriculture in its broadest aspects, and such investigations as have for their purpose the development and improvement of the rural home and rural life and the maximum contribution by agriculture to the welfare of the consumer, as may [in each case] be deemed advisable, having due regard to the varying conditions and needs of the respective States [or Territories].	imum contribution by agriculture to the welfare of the consumer * * *"
[SEC. 3. That in order to secure, as far as practicable, uniformity of methods and results in the work of said stations, it shall be the duty of the United States Commissioner of Agriculture to furnish forms, as far as practicable, for the tabulation of results of investigation or experiments; to indicate from time to time such lines of inquiry as to him shall seem most important, and, in general, to furnish such advice and assistance as will best promote the purpose of this act. It shall be the duty of each of said stations annually, on or before the first day of February, to make to the governor of the State or Territory in which it is located a full and detailed report of its operations, including a statement of receipts and expenditures, a copy of which report shall be sent to each of said stations, to the said Commissioner of Agriculture, and to the Secretary of the Treasury of the United States.]	Furnishing advice and assistance is covered by section 7 as it would be amended.
[SEC. 4.] *SEC. 6.* [That bulletins or reports of progress shall be published at said stations at least once in three months, one copy of which shall be sent to each newspaper in the States or Territories in which they are respectively located, and to such individuals actually engaged in farming as may request the same, and as far as the means of the station will permit. Such bulletins or reports and the annual reports of said stations] *Bulletins, reports, periodicals, reprints of articles, and other publications necessary for the dissemination of results of the researches and experiments, including lists of publications available for distribution by the experiment stations,* shall be transmitted in the mails of the United States [free of charge for postage,] *under penalty indicia: Provided, however, That each publication shall bear such indicia as are prescribed by the Postmaster General and shall be mailed* under such regulations as the Postmaster General may from time to time prescribe. *Such publications may be mailed from the principal place of business of the*	

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station or from an established subunit of said station.	
[SEC. 5. That for the purpose of paying the necessary expenses of conducting investigations and experiments and printing and distributing the results as hereinbefore prescribed, the sum of fifteen thousand dollars per annum is hereby appropriated to each State, to be specially provided for by Congress in the appropriations from year to year, and to each Territory entitled under the provisions of section eight of this act, out of any money in the Treasury proceeding from the sales of public lands, to be paid in equal quarterly payments on the first day of January, April, July, and October in each year, to the treasurer or other officer duly appointed by the governing boards of said colleges to receive the same, the first payment to be made on the first day of October, eighteen hundred and eighty-seven: *Provided, however*, That out of the first annual appropriation so received by any station an amount not exceeding one-fifth may be expended in the erection, enlargement, or repair of a building or buildings necessary for carrying on the work of such station; and thereafter an amount not exceeding five per centum of such annual appropriation may be so expended.]	Appropriation authorization and allocation is covered by section 3 as it would be amended. Availability of appropriations for printing and distribution and for construction is covered by section 4 as it would be amended. Quarterly payments beginning July 1 each year are provided for by section 5 as it would be amended.
SEC. 3. (a) *There are hereby authorized to be appropriated for the purposes of this Act such sums as Congress may from time to time determine to be necessary.*	
(b) *Out of such sums each State shall be entitled to receive annually a sum of money equal to and subject to the same requirement as to use for marketing research projects as the sums received from Federal appropriations for State agricultural experiment stations for the fiscal year 1955, except that amounts heretofore made available from the fund known as the "Regional research fund, Office of Experiment Stations" shall continue to be available for the support of cooperative regional projects as defined in subsection 3 (c) (3), and the said fund shall be designated "Regional research fund, State agricultural experiment stations", and the Secretary of Agriculture shall be entitled to receive annually for the administration of this Act, a sum not less than that available for this purpose for the fiscal year ending June 30, 1955: Provided, That if the appropriations hereunder available for distribution in any fiscal year are less than those for the fiscal year 1955 the allotment to each State and the amounts for Federal administration and the regional research fund shall be reduced in*	

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proportion to the amount of such reduction. *(c) Any sums made available by the Congress in addition to those provided for in subsection (b) hereof for State agricultural experiment station work shall be distributed as follows:* *1. Twenty per centum shall be allotted equally to each State;* *2. Not less than 52 per centum of such sums shall be allotted to each State, as follows: One-half in an amount which bears the same ratio to the total amount to be allotted as the rural population of the State bears to the total rural population of all the States as determined by the last preceding decennial census current at the time each such additional sum is first appropriated; and one-half in an amount which bears the same ratio to the total amount to be allotted as the farm population of the State bears to the total farm population of all the States as determined by the last preceding decennial census current at the time such additional sum is first appropriated;* *3. Not more than 25 per centum shall be allotted to the States for cooperative research in which two or more State agricultural experiment stations are cooperating to solve problems that concern the agriculture of more than one State. The funds available for such purposes, together with funds available pursuant to subsection (b) hereof for like purpose shall be designated as the 'Regional research fund, State agricultural experiment stations', and shall be used only for such cooperative regional projects as are recommended by a committee of nine persons elected by and representing the directors of the State agricultural experiment stations, and approved by the Secretary of Agriculture. The necessary travel expenses of the committee of nine persons in performance of their duties may be paid from the fund established by this paragraph.* *4. Three per centum shall be available to the Secretary of Agriculture for administration of this Act.*	Derived from section 9 (b) and (c) of the Bankhead-Jones Act (7 U. S. C. 427h): "*(b)* [Not less than 97 per centum of the sums appropriated for any fiscal year under this section shall be available for the purposes of section 2 to be allotted to Puerto Rico, each State and Territory] *Any sums made available by the Congress in addition to those provided for in subsection (b) hereof for State agricultural experiment station work shall be distributed* as follows: "(1) Twenty per centum [of the sums appropriated for any fiscal year under this section] shall be allotted equally to [Puerto Rico,] each State [and Territory: *Provided*, That no allotment and no payment under any allotment shall be made for any fiscal year in excess of the amount which Puerto Rico or the State or Territory makes available for such fiscal year out of its own funds, for research and for the establishment and maintenance of necessary facilities for the prosecution of such research. If Puerto Rico or any State or Territory fails to make available for such purposes for any fiscal year a sum equal to the amount to which it may be entitled for such year, the remainder of such amount shall be withheld by the Secretary.]; "(2) Not less than 52 per centum of [the sums appropriated for any fiscal year under this section] *such sums* shall be allotted to [Puerto Rico,] each State [and Territory], as follows: One-half in an amount which bears the same ratio to the total amount to be allotted as the rural population of [Puerto Rico or] the State [or Territory] bears to the total rural population of [Puerto Rico and] all the States [and Territories] as determined by the last preceding decennial census *current at the time each such additional sum is first appropriated;* and one-half in an amount which bears the same ratio to the total amount to be allotted as the farm population of [Puerto Rico or] the State [or Territory] bears to the total farm population of [Puerto Rico and] all the States [and Territories] as determined by the last preceding decennial census *current at the time such additional sum is first appropriated* [: *Provided*, That no allotment and no payment under any allotment shall be made for any fiscal year in excess of the amount which Puerto Rico, or the State or Territory makes available for such fiscal year out of its own funds for research and for the estab-

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	lishment and maintenance of necessary facilities for the prosecution of such research. If Puerto Rico or any State or Territory fails to make available for such purposes for any fiscal year a sum equal to the amount to which it may be entitled for such year, the remainder of such amount shall be withheld by the Secretary.]; "(3) Not more than 25 per centum [of the sums appropriated for any fiscal year under this section] shall be allotted to the States for cooperative research in which two or more State agricultural experiment stations are cooperating to solve problems that concern the agriculture of more than one State. The funds available for such purposes, *together with funds available pursuant to subsection (b) hereof for like purpose* shall be designated as the 'Regional research fund, [Office of Experiment Stations] *State agricultural experiment stations*' and shall be used only for *such* cooperative regional projects *as are* recommended by a committee of nine persons elected by and representing the directors of the State agricultural experiment stations and approved by the Secretary of Agriculture [or his authorized representative]. The necessary travel [expense] *expenses* of [said] *the* committee of nine *persons* in performance of their duties may be paid from the [regional research fund, Office of Experiment Stations, provided for under this subsection] *fund established by this paragraph.* "(c) Three per centum [of the sums appropriated for any fiscal year under this section] shall be available to the [Office of Experiment Stations of the United States Department of] *Secretary of* Agriculture for administration of [research under this section, including participation in planning and coordinating the cooperative regional research] *this Act.*"
(d) Of any amount in excess of $90,000 available under this Act for allotment to any State, exclusive of the regional research fund, State agricultural experiment stations, no allotment and no payments thereof shall be made in excess of the amount which the State makes available out of its own funds for research and for the establishment and maintenance of facilities necessary for the prosecution of such research: And provided further, That if any State fails to make available for such research purposes for any fiscal year a sum equal to the amount in excess of $90,000 to which it may be entitled for such year, the	Derived from section 5 and provisos contained in sections 9 (b) (1) and 9 (b) (2) of the Bankhead-Jones Act (7 U. S. C. 427d, 427h): "SEC. 5. . . . No allotment and no [payment under any allotment] *payments thereof* shall be made [for any fiscal year] in excess of the amount which [Puerto Rico or] the State [or Territory] makes available [for such fiscal year] out of its own funds for research and for the establishment and maintenance of [necessary] facilities *necessary* for the prosecution of such research[. If Puerto Rico or] : *And provided further, That if* any State [or

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remainder of such amount shall be withheld by the Secretary of Agriculture.	Territory] fails to make available for such *research* purposes for any fiscal year a sum equal to the [total] amount *in excess of $90,000* to which it may be entitled for such year, the remainder of such amount shall be withheld by the Secretary *of Agriculture. . . .*"
(e) "Administration" as used in this section shall include participation in planning and coordinating cooperative regional research as defined in subsection 3 (c) 3.	Derived from section 9 (c) of the Bankhead-Jones Act (7 U. S. C. 427h (c)): ["(c) Three per centum of the sums appropriated for any fiscal year under this section shall be available to the Office of Experiment Stations of the United States Department of Agriculture for administration of research under this section, including] *(e) "Administration" as used in this section shall include* participation in planning and coordinating [the] cooperative regional research *as defined in subsection 3 (c) 3."*
(f) In making payments to States, the Secretary of Agriculture is authorized to adjust any such payment to the nearest dollar.	
SEC. 4. Moneys appropriated pursuant to this Act shall also be available in addition to meeting expenses for research and investigations conducted under authority of section 2, for printing and disseminating the results of such research, retirement of employees subject to the provisions of an Act approved March 4, 1940 (54 Stat. 39), administrative planning and direction, and for the purchase and rental of land and the construction, acquisition, alteration, or repair of buildings necessary for conducting research. The State agricultural experiment stations are authorized to plan and conduct any research authorized under section 2 of this Act in cooperation with each other and such other agencies and individuals as may contribute to the solution of the agricultural problems involved, and moneys appropriated pursuant to this Act shall be available for paying the necessary expenses of planning, coordinating, and conducting such cooperative research.	Derived from section 5 of the existing law (the Hatch Act) (7 U. S. C. 368a), section 9 (a) of the Bankhead-Jones Act (7 U. S. C. 427h (a)), the Purnell Act (7 U. S. C. 370), the Act of March 4, 1940 (7 U. S. C. 331), the Adams Act (7 U. S. C. 375), and section 3 of the Bankhead-Jones Act (7 U. S. C. 427b): Derived from section 9 (a) of the Bankhead-Jones Act. "SEC. 9. (a) * * * The [said] *State* agricultural experiment stations are authorized to plan and conduct any research [provided for under this title] *authorized under section 2 of this Act* in cooperation with each other and such other [appropriate] agencies and individuals as may contribute to the solution of [these problems] *the agricultural problems involved* and [sums] *moneys* appropriated [in pursuance of this title] *pursuant to this Act* shall be available [to meet the necessary expenses of such research] *for paying the necessary expenses of planning, coordinating, and conducting such cooperative research."* Similar in some respects to section 5 of existing law. Additional language is derived from sections 2 and 3 of the Adams Act (7 U. S. C. 373 and 374): ["SEC. 2. That the sums hereby appropriated to the States and Territories for the further endowment and support of
SEC. 5. Sums available for allotment to the States under the terms of this Act, excluding the regional research fund authorized by subsection 3 (c) 3, shall be paid to each State agricultural experiment station in equal quarterly payments beginning on the first day of July of each	

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fiscal year upon vouchers approved by the Secretary of Agriculture. Each such station authorized to receive allotted funds shall have a chief administrative officer known as a director, and a treasurer or other officer appointed by the governing board of the station. Such treasurer or other officer shall receive and account for all funds allotted to the State under the provisions of this Act and shall report, with the approval of the director, to the Secretary of Agriculture on or before the first day of September of each year a detailed statement of the amount received under provisions of this Act during the preceding fiscal year, and of its disbursement on schedules prescribed by the Secretary of Agriculture. If any portion of the allotted moneys received by the authorized receiving officer of any State agricultural experiment station shall by any action or contingency be diminished, lost, or misapplied, it shall be replaced by the State concerned and until so replaced no subsequent appropriation shall be allotted or paid to such State.	agricultural experiment stations] *Sums available for allotment to the States under the terms of this Act, excluding the regional research fund authorized by subsection 3 (c) 3,* shall be [annually] paid *to each State agricultural experiment station* in equal quarterly payments *beginning* on the first day of [January, April,] July [, and October] of each *fiscal* year [by the Secretary of the Treasury,] upon [the warrant of] *vouchers approved by* the Secretary of Agriculture[, out of the Treasury of the United States, to the]. *Each such station authorized to receive allotted funds shall have a chief administrative officer known as a director, and a* treasurer or other officer [duly] appointed by the governing [boards] *board* of [said experiment stations to receive the same, and such officers] *the station. Such treasurer or other officer shall receive and account for all funds allotted to the State under the provisions of this Act and* shall [be required to] report, *with the approval of the director,* to the Secretary of Agriculture on or before the first day of September of each year a detailed statement of the amount [so] received *under provisions of this Act during the preceding fiscal year,* and of its [disbursements,] *disbursement* on schedules prescribed by the Secretary of Agriculture. [The grants of money authorized by this act are made subject to legislative assent of the several States and Territories to the purpose of said grants: *Provided,* That payment of such installments of the appropriation herein made as shall become due to any State or Territory before the adjournment of the regular session of legislature meeting next after the passage of this act shall be made upon the assent of the governor thereof, duly certified by the Secretary of the Treasury. "SEC. 3. That if] *If* any portion of the *allotted* moneys received by the [designated] *authorized receiving* officer of any State [or Territory for the further and more complete endowment, support, and maintenance of agricultural experiment stations as provided in this act] *agricultural experiment station* shall by any action or contingency be diminished [or], lost, or [be] misapplied, it shall be replaced by [said State or Territory to which it belongs,] *the State concerned* and until so replaced no subsequent appropriation shall be [apportioned] *allotted* or paid to such State [or Territory;] * * *

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[SEC. 6.] *SEC. 7.* [That whenever] *The Secretary of Agriculture is hereby charged with the responsibility for the proper administration of this Act, and is authorized and directed to prescribe such rules and regulations as may be necessary to carry out its provisions. It shall be the duty of the Secretary to furnish such advice and assistance as will best promote the purposes of this Act, including participation in coordination of research initiated under this Act by the State agricultural experiment stations, from time to time to indicate such lines of inquiry as to him seem most important, and to encourage and assist in the establishment and maintenance of cooperation by and between the several State agricultural experiment stations, and between the stations and the United States Department of Agriculture.*	Derived from section 7 of the Bankhead-Jones Act, 7 U. S. C. 427f): "SEC. 7. The Secretary of Agriculture is *hereby charged with the responsibility for the proper administration of this Act, and is* authorized and directed to prescribe such rules and regulations as may be necessary to carry out [this act] *its provisions.*" (The longer of the italicized inserts is derived from section 4 of the Adams Act.) Similar to section 3 of the existing law.
On or before the first day of July in each year after the passage of this Act, the Secretary of Agriculture shall ascertain as to each State whether it is entitled to receive its share of the annual appropriations for agricultural experiment stations under this Act and the amount which thereupon each is entitled, respectively, to receive. *Whenever* it shall appear to the Secretary of [the Treasury] *Agriculture* from the annual statement of receipts and expenditures of [any of said stations that a] *funds by any State agricultural experiment station that any* portion of the preceding annual [appropriations] *appropriation allotted to that station under this Act* remains unexpended, such amount shall be deducted from the next succeeding annual [appropriation to such station, in order that the amount of money appropriated to any station shall not exceed the amount actually and necessarily required for its maintenance and support] *allotment to the State concerned.*	Derived from the first sentence of section 4 of the Adams Act (7 U. S. C. 376): "[SEC. 4. That on] *On* or before the first day of July in each year after the passage of this act, the Secretary of Agriculture shall ascertain [and certify to the Secretary of the Treasury] as to each State [and Territory] whether it is [complying with the provisions of this act and is] entitled to receive its share of the annual [appropriation] *appropriations* for agricultural experiment stations under this act and the amount which thereupon each is entitled, respectively, to receive."
If the Secretary of Agriculture shall withhold from any State any portion of the appropriations available for allotment, the facts and reasons therefor shall be reported to the President and the amount involved shall be kept separate in the Treasury until the close of the next Congress. If the next Congress shall not direct such sum to be paid, it shall be carried to surplus.	Derived from the balance (following the first sentence) of section 4 of the Adams Act (7 U. S. C. 376): ". . . If the Secretary of Agriculture shall withhold [a certificate] from any State [or Territory of its appropriation] *any portion of the appropriations available for allotment,* the facts and reasons therefor shall be reported to the President[,] and the amount involved shall be kept separate in the Treasury until the close of the next Congress[, in order that the State or Territory may, if it shall so desire, appeal to Congress from the determination of the Secretary of Agriculture]. If the next Congress shall not direct such sum to be paid, it shall be *carried to surplus.* [covered into the Treasury; and the Secretary of Agriculture is thereby charged with the proper administration of this law]".

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The Secretary of Agriculture shall make an annual report to the Congress during the first regular session of each year of the receipts and expenditures and work of the agricultural experiment stations in all the States under the provisions of this Act and also whether any portion of the appropriation available for allotment to any State has been withheld and if so the reasons therefor.	Derived from section 5 of the Adams Act (7 U. S. C. 380):
[SEC. 7.] *SEC. 8* [That nothing] *Nothing* in this act shall be construed to impair or modify the legal relation existing between any of the [said] colleges *or universities under whose direction State agricultural experiment stations have been established* and the government of the States [or Territories] in which they are respectively located.	"[SEC. 5. That the] *The* Secretary of Agriculture shall make an annual report to *the* Congress [on] *during the first regular session of each year of* the receipts and expenditures and work of the agricultural experiment stations in all [of] the States [and Territories,] *under the provisions of this Act* and also whether *any portion of* the appropriation [of] *available for allotment to* any State [or Territory] has been withheld[;] and if so[,] the [reason] *reasons* therefor."
[SEC. 8 That in] States having [colleges entitled under this section to the benefits of this act and having also] agricultural experiment stations [established by law] separate from said colleges *or universities and established by law*, [such States] shall be authorized to apply such benefits to [experiments] *research* at stations so established by such States*: Provided, That in any State in which more than one such college, university, or agricultural experiment station has been established the appropriations made pursuant to this Act for such State shall be divided between such institutions as the legislature of such State shall direct*[; and in case any State shall have established under the provisions of said act of July second aforesaid, an agricultural department or experiment station, in connection with any university, college, or institution not distinctively an agricultural college or school, and such State shall have established or shall hereafter establish a separate agricultural college or school, which, shall have connected therewith an experimental farm or station, the legislature of such State may apply in whole or in part the appropriation by this act made, to such separate agricultural college, or school, and no legislature shall by contract, express or implied, disable itself from so doing.]	
[SEC. 9. That the grants of moneys authorized by this act are made subject to the legislative assent of the several States and Territories to the purposes of said grants: *Provided*, That payment of such installments of the appropriation herein made as shall become due to any State before the adjournmen. of the regular session of its legislature meeting next after the passage of this act shall be	

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made upon the assent of the governor thereof duly certified to the Secretary of the Treasury.]	
[SEC. 10.] *SEC. 9.* [Nothing in this act shall be held or construed as binding the United States to continue any payments from the Treasury to any or all the States or institutions mentioned in this act, but] *The* Congress may at any time amend, suspend, or repeal any or all the provisions of this act.	
THE BANKHEAD-JONES ACT	
[SEC. 2. The Secretary is also authorized and directed to encourage research similar to that authorized under section 1 to be conducted by agricultural experiment stations established or which may hereafter be established in pursuance of the act of March 2, 1887, providing for experiment stations, as amended and supplemented, by the allotment and payment as provided in section 5 to Puerto Rico and the States and Territories for the use of such experiment stations of sums appropriated therefor pursuant to this title.	
[SEC. 3. For the purposes of this title there is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $1,000,000 for the fiscal year beginning after the date of the enactment of this title, and for each of the four fiscal years thereafter $1,000,000 more than the amount authorized for the preceding fiscal year, and $5,000,000 for each fiscal year thereafter. Moneys appropriated in pursuance of this title shall also be available for the purchase and rental of land and the construction of buildings necessary for conducting research provided for in this title, for the equipment and maintenance of such buildings, and for printing and disseminating the results of research. Sums appropriated in pursuance of this title shall be in addition to, and not in substitution for, appropriations for research or other activities of the Department of Agriculture and sums appropriated or otherwise made available for agricultural experiment stations.	
[SEC. 4. Forty per centum of the sums appropriated for any fiscal year under section 3 shall be available for the purposes of section 1: *Provided*, That not to exceed 2 per centum of the sums appropriated may be used for the administration of section 5 of this title. The sums available for the purposes of section 1 shall be designated as the "Special research fund, Department of Agricul-	

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ture," and no part of such special fund shall be used for the prosecution of research heretofore instituted or for the prosecution of any new research project except upon approval in writing by the Secretary. One-half of such special research fund shall be used by the Secretary for the establishment and maintenance of research laboratories and facilities in the major agricultural regions at places selected by him and for the prosecution, in accordance with section 1, of research at such laboratories.	
[SEC. 5. (*a*) Sixty per centum of the sums appropriated for any fiscal year under section 3 shall be available for the purposes of section 2. The Secretary shall allot, for each fiscal year for which an appropriation is made, to Puerto Rico and each State and Territory an amount which bears the same ratio to the total amount to be alloted as the rural population of Puerto Rico or the State or Territory bears to the rural population of Puerto Rico and all the States and Territories as determined by the last preceding decennial census. No allotment and no payment under any allotment shall be made for any fiscal year in excess of the amount which Puerto Rico or the State or Territory makes available for such fiscal year out of its own funds for research and for the establishment and maintenance of necessary facilities for the prosecution of such research. If Puerto Rico or any State or Territory fails to make available for such purposes for any fiscal year a sum equal to the total amount to which it may be entitled for such year, the remainder of such amount shall be withheld by the Secretary. The total amount so withheld may be allotted by the Secretary of Agriculture to Puerto Rico and the States and Territories which make available for such year an amount equal to that part of the total amount withheld which may be allotted to them by the Secretary of Agriculture, but no such additional allotment to Puerto Rico or any State or Territory shall exceed the original allotment to Puerto Rico or such State or Territory for that year by more than 20 per centum thereof.	
[(*b*) The sums authorized to be allotted to Puerto Rico and the States and Territories shall be paid annually in quarterly payments on July 1, October 1, January 1, and April 1. Such sums shall be paid by the Secretary of the Treasury upon warrant of the Secretary of Agriculture in the same manner and subject to the same administrative procedure set forth in the act of March 2, 1887, as amended June 7, 1888.	
[(*c*) In order to prevent reduced allotments because of changes in relative rural populations, $63,708 of the	

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funds appropriated for any fiscal year and available for the purposes of this section shall be available for allotment during the fiscal year in the same amount and to the same States and Territories which received allotments from such appropriation in the fiscal year 1942.

[SEC. 6. As used in this title the term "Territory" means Alaska and Hawaii.

[SEC. 7. The Secretary of Agriculture is authorized and directed to prescribe such rules and regulations as may be necessary to carry out this act.

[SEC. 8. The right to alter, amend, or repeal this act is hereby expressly reserved.

[SEC. 9 (*a*) In order to carry out further the purposes of section 2 of this title, there is hereby authorized to be appropriated in addition to all other appropriations authorized by this title the following sums:

[(1) $2,500,000 for the fiscal year ending June 30, 1947, and each subsequent fiscal year.

[(2) An additional $2,500,000 for the fiscal year ending June 30, 1948, and each subsequent fiscal year.

[(3) An additional $5,000,000 for the fiscal year ending June 30, 1949, and each subsequent fiscal year.

[(4) An additional $5,000,000 for the fiscal year ending June 30, 1950, and each subsequent fiscal year.

[(5) An additional $5,000,000 for the fiscal year ending June 30, 1951, and each subsequent fiscal year.

[(6) In addition to the foregoing such additional funds beginning with the fiscal year ending June 30, 1952, and thereafter, as the Congress may deem necessary.

[The moneys appropriated in pursuance of this title shall also be available for the purchase and rental of land and the construction or acquisition of buildings necessary for conducting research provided for in this title, for the equipment and maintenance of such buildings, and for printing and disseminating the results of research. Sums appropriated in pursuance of this title shall be in addition to, and not in substitution for, sums appropriated or otherwise made available for agricultural experiment stations. The said agricultural experiment stations are authorized to plan and conduct any research provided for under this title in cooperation with each other and such other appropriate agencies and individuals as may contribute to the solution of these problems and sums appropriated in pursuance of this title shall be available

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to meet the necessary expenses of such research.

[Unexpended balances of allotments to experiment stations from appropriations made under this section during the first five fiscal years may remain available for expenditure by the same experiment stations at which the unexpended balances occurred for the purposes specified in section 1 and for the following periods: Unexpended balances of the first year's allotments, five years; of the second fiscal year's allotments, four years; of the third fiscal year's allotments, three years; of the fourth fiscal year's allotments, two years; and of the fifth fiscal year's allotments, one year; and any unexpended balances of allotments to any experiment stations from appropriations made under this section of any subsequent fiscal year shall be deducted from the next succeeding annual allotments to such experiment stations.

[(*b*) Not less than 97 per centum of the sums appropriated for any fiscal year under this section shall be available for the purposes of section 2 to be allotted to Puerto Rico, each State and Territory as follows:

[(1) Twenty per centum of the sums appropriated for any fiscal year under this section shall be allotted equally to Puerto Rico, each State and Territory: *Provided*, That no allotment and no payment under any allotment shall be made for any fiscal year in excess of the amount which Puerto Rico or the State or Territory makes available for such fiscal year out of its own funds, for research and for the establishment and maintenance of necessary facilities for the prosecution of such research. If Puerto Rico or any State or Territory fails to make available for such purposes for any fiscal year a sum equal to the amount to which it may be entitled for such year, the remainder of such amount shall be withheld by the Secretary.

[(2) Not less than 52 per centum of the sums appropriated for any fiscal year under this section shall be allotted to Puerto Rico, each State and Territory as follows: One-half in an amount which bears the same ratio to the total amount to be allotted as the rural population of Puerto Rico or the State or Territory bears to the total rural population of Puerto Rico and all the States and Territories as determined by the last preceding decennial census; and one-half in an amount which bears the same ratio to the total amount to be allotted

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as the farm population of Puerto Rico or the State or Territory bears to the total farm population of Puerto Rico and all the States and Territories as determined by the last preceding decennial census: *Provided*, That no allotment and no payment under any allotment shall be made for any fiscal year in excess of the amount which Puerto Rico, or the State or Territory makes available for such fiscal year out of its own funds for research and for the establishment and maintenance of necessary facilities for the prosecution of such research. If Puerto Rico or any State or Territory fails to make available for such purposes, for any fiscal year a sum equal to the amount to which it may be entitled for such year, the remainder of such amount shall be withheld by the Secretary.

[(3) Not more than 25 per centum of the sums appropriated for any fiscal year under this section shall be allotted to the States for cooperative research in which two or more State agricultural experiment stations are cooperating to solve problems that concern the agriculture of more than one State. The funds available for such purposes shall be designated as the 'Regional research fund, Office of Experiment Stations' and shall be used only for cooperative regional projects recommended by a committee of nine persons elected by and representing the directors of the State agricultural experiment stations and approved by the Secretary of Agriculture or his authorized representative. The necessary travel expense of said committee of nine in performance of their duties may be paid from the regional research fund, Office of Experiment Stations, provided for under this subsection.

["(c) Three per centum of the sums appropriated for any fiscal year under this section shall be available to the Office of Experiment Stations of the United States Department of Agriculture for administration of research under this section, including participation in planning and coordinating the cooperative regional research.]

* * * * *

SEC. 11. Notwithstanding any other provision of this title, [(1) not less than 20 per centum of the funds appropriated under section 9 (*a*) shall be used by State agricultural experiment stations for conducting marketing research projects approved by the Department of Agriculture, and (2)] cooperative research projects provided for under [sections 9 (*b*) (3) and] *section* (10) (*b*) shall be

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carried out under cooperative agreements between the Secretary of Agriculture and the cooperating agencies and shall include appropriate provisions for preventing duplication or overlapping of work within the State or States cooperating. Should duplication or overlapping occur subsequent to approval of a cooperative research project, the Secretary of Agriculture is authorized and directed to withhold unexpended balances of such projects notwithstanding the prior approval thereof. The Secretary of Agriculture shall include in his annual report to Congress a complete statement of research work being performed under contracts or cooperative agreements under this title, showing the names of the agencies cooperating and the amounts expended thereon, segregated by Federal and non-Federal funds.

* * * *

SECTION 105 OF THE DEPARTMENT OF AGRICULTURE ORGANIC ACT OF 1944 AMENDING TITLE I OF THE BANKHEAD-JONES ACT

[SEC. 105. Title I of the Bankhead-Jones Act (7 U. S. C. 427–427g) is hereby amended by adding a new subsection to section 5 to read as follows:

"(c) In order to prevent reduced allotments because of changes in relative rural populations, $63,708 of the funds appropriated for any fiscal year and available for the purposes of this section shall be available for allotment during the fiscal year in the same amount and to the same States and Territories which received allotments from such appropriation in the fiscal year 1942."]

ACT OF 1888 AMENDING THE HATCH ACT

[AN ACT To amend an act entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July second, eighteen hundred and sixty-two, and the acts supplementary thereto"

[*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the grants of money authorized by the act of Congress entitled "An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July second, eighteen hundred and sixty-two, and of acts supplementary thereto," are subject as therein provided to the legislative assent of the States or Territories to be affected thereby; but as to such installments of

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the appropriations as may be now due or may hereafter become due, when the legislature may not be in session, the governor of said State or Territory may make the assent therein provided, and upon a duly certified copy thereof to the Secretary of the Treasury he shall cause the same to be paid in the manner provided in the act of which this is amendatory, until the termination of the next regular session of the legislature of such State or Territory.]

ACT OF 1906 FOR THE FURTHER ENDOWMENT OF AGRICULTURAL EXPERIMENT STATIONS

Adams Act

[AN ACT To provide for an increased annual appropriation for agricultural experiment stations and regulating the expenditure thereof

[*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there shall be, and hereby is, annually appropriated, out of any money in the Treasury not otherwise appropriated, to be paid as hereinafter provided, to each State and Territory, for the more complete endowment and maintenance of agricultural experiment stations now established or which may hereafter be established in accordance with the act of Congress approved March second, eighteen hundred and eighty-seven, the sum of five thousand dollars in addition to the sum named in said act for the year ending June thirtieth, nineteen hundred and six, and an annual increase of the amount of such appropriation thereafter for five years by an additional sum of two thousand dollars over the preceding year, and the annual amount to be paid thereafter to each State and Territory shall be thirty thousand dollars, to be applied only to paying the necessary expenses of conducting original researches or experiments bearing directly on the agricultural industry of the United States, having due regard to the varying conditions and needs of the respective States or Territories.

[SEC. 2. That the sums hereby appropriated to the States and Territories for the further endowment and support of agricultural experiment stations shall be annually paid in equal quarterly payments on the first day of January, April, July, and October of each year by the Secretary of the Treasury, upon the warrant of the Secretary of Agriculture, out of the Treasury of the United States, to the treasurer or other officer duly appointed by the governing

boards of said experiment stations to receive the same, and such officers shall be required to report to the Secretary of Agriculture on or before the first day of September of each year a detailed statement of the amount so received and of its disbursements, on schedules prescribed by the Secretary of Agriculture. The grants of money authorized by this act are made subject to legislative assent of the several States and Territories to the purpose of said grants: *Provided*, That payment of such installments of the appropriation herein made as shall become due to any State or Territory before the adjournment of the regular session of legislature meeting next after the passage of this act shall be made upon the assent of the governor thereof, duly certified by the Secretary of the Treasury.

[SEC. 3. That if any portion of the moneys received by the designated officer of any State or Territory for the further and more complete endowment, support, and maintenance of agricultural experiment stations as provided in this act shall by any action or contingency be diminished or lost or be misapplied, it shall be replaced by said State or Territory to which it belongs, and until so replaced no subsequent appropriation shall be apportioned or paid to such State or Territory; and no portion of said moneys exceeding five per centum of each annual appropriation shall be applied, directly or indirectly, under any pretense whatever, to the purchase, erection, preservation, or repair of any building or buildings, or to the purchase or rental of land. It shall be the duty of each of said stations annually, on or before the first day of February, to make to the governor of the State or Territory in which it is located a full and detailed report of its operations, including a statement of receipts and expenditures, a copy of which report shall be sent to each of said stations, to the Secretary of Agriculture, and to the Secretary of the Treasury of the United States.

[SEC. 4. That on or before the first day of July in each year after the passage of this act the Secretary of Agriculture shall ascertain and certify to the Secretary of the Treasury as to each State and Territory whether it is complying with the provisions of this act and is entitled to receive its share of the annual appropriation for agricultural experiment stations under this act and the amount which thereupon each is entitled, respectively, to receive. If the Secretary of Agriculture shall withhold a certificate from any State or Territory of its appropriation, the facts

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and reasons therefor shall be reported to the President, and the amount involved shall be kept separate in the Treasury until the close of the next Congress, in order that the State or Territory may, if it shall so desire, appeal to Congress from the determination of the Secretary of Agriculture. If the next Congress shall not direct such sum to be paid, it shall be covered into the Treasury; and the Secretary of Agriculture is thereby charged with the proper administration of this law.

[SEC. 5. That the Secretary of Agriculture shall make an annual report to Congress on the receipts and expenditures and work of the agricultural experiment stations in all of the States and Territories, and also whether the appropriation of any State or Territory has been withheld; and if so, the reason therefor.

[SEC. 6. That Congress may at any time amend, suspend, or repeal any or all of the provisions of this act.]

ACT OF 1925 FOR THE MORE COMPLETE ENDOWMENT OF THE AGRICULTURAL EXPERIMENT STATIONS

Purnell Act

[AN ACT To authorize the more complete endowment of agricultural experiment stations, and for other purposes

[*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That for the more complete endowment and maintenace of agricultural experiment stations now established, or which may hereafter be established, in accordance with the act of Congress approved March 2, 1887, there is hereby authorized to be appropriated, in addition to the amounts now received by such agricultural experiment stations, the sum of $20,000 for the fiscal year ending June 30, 1926; $30,000 for the fiscal year ending June 30, 1927; $40,000 for the fiscal year ending June 30, 1928; $50,000 for the fiscal year ending June 30, 1929; $60,000 for the fiscal year ending June 30, 1930; and $60,000 for each fiscal year thereafter, to be paid to each State and Territory; and the Secretary of Agriculture shall include the additional sums above authorized to be appropriated in the annual estimates of the Department of Agriculture, or in a separate estimate, as he may deem best. The funds appropriated pursuant to this act shall be applied only to paying the necessary expenses of conducting investigations or making experiments bearing directly on

CHANGES IN EXISTING LAW	COMMENTS AND SOURCE OF NEW LANGUAGE
the production, manufacture, preparation, use, distribution, and marketing of agricultural products and including such scientific researches as have for their purpose the establishment and maintenance of a permanent and efficient agricultural industry, and such economic and sociological investigations as have for their purpose the development and improvement of the rural home and rural life, and for printing and disseminating the results of said researches.	
[SEC. 2. That the sums hereby authorized to be appropriated to the States and Territories for the further endowment and support of agricultural experiment stations shall be annually paid in equal quarterly payments on the 1st day of January, April, July, and October of each year by the Secretary of the Treasury upon a warrant of the Secretary of Agriculture out of the Treasury of the United States, to the treasurer or other officer duly appointed by the governing boards of such agricultural experiment stations to receive the same and such officers shall be required to report to the Secretary of Agriculture on or before the 1st day of September of each year a detailed statement of the amount so received and of its disbursement on schedules prescribed by the Secretary of Agriculture. The grants of money authorized by this act are made subject to legislative assent of the several States and Territories to the purpose of said grants: *Provided*, That payment of such installments of the appropriation herein authorized to be made as shall become due to any State or Territory before the adjournment of the regular session of the legislature meeting next after the passage of this act shall be made upon the assent of the governor thereof duly certified to the Secretary of the Treasury.	
[SEC. 3. That if any portion of the moneys received by the designated officer of any State or Territory for the further and more complete endowment, support, and maintenance of agricultural experiment stations as provided in this act shall by any action or contingency be diminished or lost or be misapplied, it shall be replaced by said State or Territory to which it belongs, and until so replaced no subsequent appropriation shall be apportioned or paid to such State or Territory, and no portion of said moneys exceeding 10 per centum of each annual appropriation shall be applied directly or indirectly, under any pretense whatever, to the	

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CHANGES IN EXISTING LAW	COMMENTS AND SOURCE OF NEW LANGUAGE
purchase, erection, preservation, or repair of any building or buildings or to the purchase or rental of land. It shall be the duty of each of the said stations annually, on or before the 1st day of February, to make to the governor of the State or Territory in which it is located a full and detailed report of its operations, including a statement of receipts and expenditures for the fiscal year next preceding, a copy of which report shall be sent to each of the said stations and the Secretary of Agriculture and to the Secretary of the Treasury of the United States. [SEC. 4. That on or before the 1st day of July in each year after the passage of this act the Secretary of Agriculture shall ascertain and certify to the Secretary of the Treasury as to each State and Territory whether it is complying with the provisions of this act and is entitled to receive its share of the annual appropriations for agricultural experiment stations under this act and the amount which thereupon each is entitled, respectively, to receive. If the Secretary of Agriculture shall withhold from any State or Territory a certificate of its appropriation, the facts and reasons therefor shall be reported to the President and the amount involved shall be kept separate in the Treasury until the close of the next Congress in order that the State or Territory may, if it shall so desire, appeal to Congress from the determination of the Secretary of Agriculture. If the next Congress shall not direct such sum to be paid, it shall be covered into the Treasury. The Secretary of Agriculture is hereby charged with the proper administration of this law. [SEC. 5. That the Secretary of Agriculture shall make an annual report to Congress on the receipts and expenditures and work of the agricultural experiment stations in all of the States and Territories, and also whether the appropriation of any State or Territory has been withheld; and if so, the reason therefor. [SEC. 6. That Congress may at any time amend, suspend, or repeal any and all of the provisions of this act.]	
The following act was repealed insofar as it related to extension work by Public Law 83, 83d Congress:	

CHANGES IN EXISTING LAW

COMMENTS AND SOURCE OF NEW LANGUAGE

"THE ACT OF MAY 16, 1928

["AN ACT To extend the benefits of certain acts of Congress to the Territory of Hawaii

["*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That beginning with the fiscal year ending June 30, 1929, the Territory of Hawaii shall be entitled to share in the benefits of the act entitled 'An act to establish agricultural experimental stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto,' approved March 2, 1887, as amended and supplemented, and of the act entitled 'An act to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July 2, 1862, and of acts supplementary thereto, and the United States Department of Agriculture,' approved May 8, 1914, and of acts supplementary thereto: *Provided*, That the experiment station so established shall be conducted jointly and in collaboration with the existing Federal experiment station in Hawaii in enlarging and expanding the work of the said Federal station on cooperative plans approved by the Secretary of Agriculture; and the Secretary of Agriculture shall coordinate the work of the Territorial station with that of the Federal station and of the United States Department of Agriculture in the islands: *Provided further*, That the Territory of Hawaii shall make provision for such additional buildings and permanent equipment as may be necessary for the development of the work.

["SEC. 2. To carry into effect the above provisions for extending to Hawaii the benefits of the act of March 2, 1887, and supplementary acts in the order and amounts designated by these acts, the following sums are hereby authorized to be appropriated in addition to the amounts appropriated to the Department of Agriculture for use in Hawaii: $15,000 for the fiscal year ending June 30, 1930; $20,000 for the fiscal year ending June 30, 1931; $22,000 for the fiscal year ending June 30, 1932; $24,000 for the fiscal year ending June 30, 1933; $26,000 for the fiscal year ending June 30, 1934; $28,000 for the fiscal year ending June 30, 1935; $30,000 for the fiscal year ending June 30, 1936; $50,000 for the fiscal year ending June 30, 1937; $60,000 for the

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fiscal year ending June 30, 1938; $70,000 for the fiscal year ending June 30, 1939; $80,000 for the fiscal year ending June 30, 1940; and $90,000 for the fiscal year ending June 30, 1941, and thereafter a sum equal to that provided for each State and Territory for agricultural experiment stations established under the act of March 2, 1887.

[“SEC. 3. The permanent annual appropriations provided for in section 3 of said act of May 8, 1914, and of acts supplementary thereto are hereby authorized to be increased by an amount necessary to carry out the provisions of this act but without diminishing or increasing the amount which any State is entitled to under the provisions of said act of May 8, 1914, and of acts supplementary thereto.”]

So much of section 1 of the following act as extended the provisions of the Capper-Ketcham Act to Alaska was repealed by Public Law 417, 81st Congress:

“ACT OF 1936 EXTENDING THE BENEFITS OF THE ADAMS ACT, THE PURNELL ACT, AND THE CAPPER-KETCHAM ACT TO THE TERRITORY OF ALASKA

[“AN ACT To extend the benefits of the Adams Act, the Purnell Act, and the Capper-Ketcham Act to the Territory of Alaska, and for other purposes

[“*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following acts, to wit, an act entitled ‘An act to provide for an increased annual appropriation for agricultural experiment stations and regulating the expenditure thereof,’ approved March 16, 1906, and known as the Adams Act; an act entitled ‘An act to authorize the more complete endowment of agricultural experiment stations, and for other purposes,’ approved February 24, 1925, and known as the Purnell Act; and an act entitled ‘An act to provide for the further development of agricultural extension work between the agricultural colleges in the several States receiving the benefit of the act entitled “An act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and the mechanic arts,” approved July 2, 1862, and all acts supplementary thereto, and the United States Department of Agriculture,’ approved May 22, 1928, and known as the Capper-Ketcham Act, be and the same are hereby, extended to the Territory of Alaska.

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[“SEC. 2. To carry into effect the above provisions for extending to the Territory of Alaska the benefits of the said Adams Act and the said Purnell Act, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1952, and each year thereafter a sum equal to that provided for each State and Territory under the said Adams Act and the said Purnell Act.”]

The following act was repealed insofar as it related to extension work by Public Law 83, 83d Congress:

“THE ACT OF FEBRUARY 23, 1929

[“AN ACT To extend the benefits of the Hatch Act and the Smith-Lever Act to the Territory of Alaska

[“*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following acts, to wit, an act entitled ‘An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an Act approved July 2, 1862, and of the acts supplementary thereto,’ approved March 2, 1887, as amended and supplemented, and known as the Hatch Act; and an act entitled ‘An act to provide for cooperative extension work between the agricultural colleges in the United States receiving the benefits of an act of Congress approved July 2, 1862, and of acts supplementary thereto, and the United States Department of Agriculture,’ approved May 8, 1914, and known as the Smith-Lever Act, be and the same are hereby, extended to the Territory of Alaska: *Provided*, That no appropriations shall be made under this act until annually estimated as to funds and amounts by the Secretary of Agriculture; the estimates to be based upon his determination of the ability of the Territory of Alaska to make effective use of the funds.

[“With the approval of the Secretary of Agriculture, agricultural experiment substations, to the number of not more than two, may be maintained under the provisions of the Hatch Act.”]

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The following act was repealed insofar as it related to extension work by Public Law 83, 83d Congress:

"THE ACT OF MARCH 4, 1931

["AN ACT To coordinate the agricultural-experiment-station work and to extend the benefits of certain acts of Congress to the Territory of Puerto Rico

["*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That beginning with the fiscal year ending June 30, 1933, the Territory of Puerto Rico shall be entitled to share in the benefits of the act entitled 'An act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto,' approved March 2, 1887, as amended and supplemented, and of the act entitled 'An act to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of an act of Congress approved July 2, 1862, and of acts supplementary thereto, and the United States Department of Agriculture,' approved May 8, 1914, and of acts supplementary thereto: *Provided*, That the experiment station so established shall be connected with the College of Agriculture of the University of Puerto Rico and it shall be conducted jointly and in collaboration with the existing Federal experiment station in Puerto Rico in enlarging and expanding the work of the said Federal station on cooperative plans approved by the Secretary of Agriculture; and the Secretary of Agriculture shall coordinate the work of the Territorial stations with that of the Federal station and of the United States Department of Agriculture in the island: *Provided further*, That the several experiment stations now conducted by the insular government shall be transferred to and coordinated with the experiment station of the College of Agriculture of the University of Puerto Rico, together with whatever funds that are available for the support of the same, and the Secretary of Agriculture may at his discretion transfer such land, buildings, and equipment as he may deem necessary to the experiment station of the College of Agriculture of the University of Puerto Rico: *Provided further*, That the Territory of Puerto Rico shall make provision for such additional buildings and permanent

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equipment as may be necessary for the development of the work.

[“SEC. 2. To carry into effect the above provisions for extending to Puerto Rico the benefits of the act of March 2, 1887, and supplementary acts in the order and amounts designated by these acts, the following sums are hereby authorized to be appropriated in addition to the amounts appropriated to the Department of Agriculture for use in Puerto Rico; $15,000 for the fiscal year ending June 30, 1933; $20,000 for the fiscal year ending June 30, 1934; $25,000 for the fiscal year ending June 30, 1935; $30,000 for the fiscal year ending June 30, 1936; $35,000 for the fiscal year ending June 30, 1937; $40,000 for the fiscal year ending June 30, 1938; $45,000 for the fiscal year ending June 30, 1939; $50,000 for the fiscal year ending June 30, 1940; $60,000 for the fiscal year ending June 30, 1941; $70,000 for the fiscal year ending June 30, 1942; $80,000 for the fiscal year ending June 30, 1943; and $90,000 for the fiscal year ending June 30, 1944, and thereafter a sum equal to that provided for each State and Territory for agricultural experiment stations established under the act of March 2, 1887.

[“SEC. 3. The permanent annual appropriations provided for in section 3 of said act of May 8, 1914, and of acts supplementary thereto are hereby authorized to be increased by an amount necessary to carry out the provisions of this act, but without diminishing or increasing the amount to which any State or the Territory of Hawaii is entitled under the provisions of said act of May 8, 1914, and of acts supplementary thereto: *Provided*, That for the fiscal year 1933 the total amount available to the Territory of Puerto Rico under the terms of the act of May 8, 1914, shall be $50,000, this amount to be increased by $10,000 annually, or such part thereof as may be necessary, until the total to which Puerto Rico is entitled under the provisions of this act is reached. Participation in other Federal appropriations for cooperative extension work, including those authorized by the act of May 22, 1928, shall be at such times and in such amounts as shall be estimated by the Secretary of Agriculture and appropriated by the Congress.”]

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DEPARTMENT OF AGRICULTURE APPROPRIATION ACT OF 1890	
* * * [: *Provided*, That, as far as practicable, all such stations shall devote a portion of their work to the examination and classification of the soils of their respective States and Territories, with a view to securing more extended knowledge and better development of their agricultural capabilities].	
ACT OF OCTOBER 1, 1918	
* * * [: *Provided further*, That hereafter the Secretary of Agriculture be, and he is hereby, authorized and directed to certify to the Secretary of the Treasury for payment, and the Secretary of the Treasury is authorized and directed to pay the appropriation for the fiscal year ending June thirtieth, nineteen hundred and eighteen, and all future appropriations, to the Georgia Experiment Station, as authorized by the Act of March second, eighteen hundred and eighty-seven (Twenty-fourth Statutes, page four hundred and forty), commonly referred to as the Hatch Act, and the Act of March sixteenth, nineteen hundred and six (Thirty-fourth Statutes, page sixty-three), known as the Adams Act, and all amendments to said Acts, in accordance with the Act of the General Assembly of Georgia, approved December twenty-ninth, eighteen hundred and eighty-eight, establishing the Georgia Experiment Station, and the Act of August eighteenth, nineteen hundred and six, accepting the benefits of the Adams Act (Georgia laws, nineteen hundred and six, page eleven hundred and sixty-one): *Provided further*, That nothing herein shall be construed as limiting the authority of the Secretary of Agriculture over and respecting the supervision of the operation of the said Georgia Experiment Station as set forth in said Acts of Congress].	

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Calendar No. 569

84TH CONGRESS, 1st Session | SENATE | REPORT No. 564

UNITED STATES GRAIN STANDARDS—PENALTIES

JUNE 15 (legislative day, JUNE 14), 1955.—Ordered to be printed

Mr. THYE, from the Committee on Agriculture and Forestry, submitted the following

REPORT

[To accompany S. 1400]

The Committee on Agriculture and Forestry, to whom was referred the bill (S. 1400) to protect the integrity of grade certificates under the United States Grain Standards Act, having considered the same, report thereon with a recommendation that it do pass with an amendment.

This bill is designed to protect the integrity of grade certificates under the United States Grain Standards Act by making it a crime, punishable by fine or imprisonment, for—

(1) Any sampler to take samples improperly for inspection under the United States Grain Standards Act;

(2) Any sampler to accept a bribe for improper performance of his duty;

(3) Any person to attempt to influence any sampler improperly;

(4) Any person to load, handle, or sample grain in a manner designed to cause the issuance of a false grade certificate under that act;

(5) Any person to submit for inspection under that act any grain so loaded, handled, or sampled; and

(6) Any person to do any other act to cause the issuance of a false grade certificate.

In the summer of 1953 a subcommittee of this committee conducted hearings at Galveston at which an elevator operator testified that he ran sample grade wheat into the ship every time the sampler's back was turned, and that "slugging" of ships and "plugging" of cars was a common practice. While your committee does not believe this practice to be so widespread, it does believe that penalties should be provided for this type of action, and that every effort should be made to preserve the integrity of United States grade certificates. By assuring foreign purchasers and others that they can rely on United

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States grade certificates, the bill will contribute to the improvement of both our domestic and export markets.

The bill and the committee amendment are further explained in the attached report from the Department of Agriculture.

DEPARTMENTAL VIEWS

DEPARTMENT OF AGRICULTURE,
Washington, D. C., June 13, 1955.

Hon. ALLEN J. ELLENDER,
Chairman, Committee on Agriculture and Forestry,
United States Senate.

DEAR SENATOR ELLENDER: This is in reply to your letter of March 11 requesting a report on S. 1400, a bill to protect the integrity of grade certificates under the United States Grain Standards Act. The bill would amend section 9 of the act to provide penalties for persons who knowingly sample grain improperly and for persons who knowingly or willfully cause or attempt to cause the issuance of a false grade certificate under the act by deceptive loading, handling, or sampling of grain, or any other means.

The Department favors enactment of S. 1400. However, in view of the fact that the present Grain Standards Act refers to incorrect certification as well as to false certificates (7 U. S. C. 77, 80), it is recommended that the words "or incorrect" be inserted after the word "false" in line 11 on page 1 and in line 6 on page 2 of the bill, for consistency with the present provisions of the act.

It is estimated that the additional functions required by the bill will increase the annual cost of administering the act by approximately $43,500.

Although provisions of the bill appear to be difficult to enforce adequately, we believe that enactment of the bill will strengthen the requirements of the act in such a manner that it will tend to prevent or correct abuses that now occur. It will aid in preventing to a much greater degree than is now possible the "plugging" or the covering and concealing of inferior grain underneath higher quality grain in such a manner that it is not disclosed by probing or otherwise sampling in the prescribed manner. It will also provide more control over the persons who sample grain for official inspection purposes.

The Bureau of the Budget advises that, from the standpoint of the program of the President, there is no objection to the submission of this report.

Sincerely yours,

TRUE D. MORSE, *Acting Secretary.*

CHANGES IN EXISTING LAW

In compliance with subsection (4) of rule XXIX, of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

UNITED STATES GRAIN STANDARDS ACT, AS AMENDED

* * * * * * *

SEC. 9. Any person who shall knowingly violate any of the provisions of sections 4 or 7 of this Act, or any inspector licensed under this Act, *or any person sampling grain for inspection under this Act*, who shall knowingly [inspect or grade] *inspect, grade, or sample* improperly any grain which has been shipped or delivered for shipment in interstate or foreign commerce, or shall knowingly give any false *or incorrect* certificate of grade, or shall accept money or other consideration, directly or indirectly, for any neglect or improper performance of duty, and any person who shall improperly influence or attempt to improperly influence any such inspector *or sampler* in the performance of his duty, *or shall knowingly or willfully cause, or attempt to cause, the issuance of a false or incorrect certificate of grade under this Act by deceptive loading, handling, or sampling of grain, or by submitting grain for inspection knowing that it has been so loaded, handled, or sampled, or by any other means*, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined not more than $1,000, or be imprisoned not more than one year, or both.

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